United Nations S/2017/672/Rev.1

Security Council

Distr.: General
16 August 2017

Original: English

Letter dated 8 August 2017 from the Group of Experts on the Democratic Republic of the Congo extended pursuant to Security Council resolution 2293 (2016) addressed to the President of the Security Council

The members of the Group of Experts extended pursuant to Security Council resolution 2293 (2016) have the honour to transmit herewith, in accordance with paragraph 5 of Security Council resolution 2360 (2017), the final report on their work.

The Group would like to acknowledge the contributions of its fellow members Michael Sharp, Coordinator and armed groups expert, and Zaida Catalán, humanitarian expert, who were assassinated in March 2017 in Kasaï Central Province, Democratic Republic of the Congo.

The report was provided to the Security Council Committee established pursuant to resolution 1533 (2004) on 30 June 2017 and was considered by the Committee on 21 July 2017.

The Group would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

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Final report of the Group of Experts on the Democratic Republic of the Congo

Summary

The most significant event for the Group of Experts during the current mandate was the assassination of two of its members, Michael Sharp, Coordinator and armed groups expert, and Zaida Catalán, humanitarian expert. This unprecedented event constitutes a deliberate attack against the Security Council and impacted the Group's ability to fully implement its fieldwork agenda for the present report. More broadly, this also speaks to the concerning security situation prevailing in the Democratic Republic of the Congo: while the Kasais have witnessed a stark escalation of violence, other areas remain affected by chronic levels of insecurity.

Since its last report, the Group noted fewer cases of election-related violence across the country, notwithstanding several cases of interference by armed groups in voter registration.

Armed groups, such as the Forces démocratiques de libération du Rwanda (FDLR), the Conseil national pour le renouveau et la démocratie, the Allied Democratic Forces and the Forces républicaines du Burundi continue to represent threats to peace and security in the Democratic Republic of the Congo. However, there is a changing dynamic of conflict and armed mobilization in the Democratic Republic of the Congo, reflected by the previously reported shift towards a further fragmentation of armed groups operating in a more decentralized while heavily networked manner.

In this context, foreign and local armed groups are increasingly interconnected, which also impacts on the patterns of violence. These linkages can be partially explained by the fact that foreign armed groups have evolved over time and have begun to feature Congolese nationals in their ranks, sometimes even in leadership positions. The Group also documented instances of collaboration between elements of the Forces armées de la République démocratique du Congo (FARDC) and armed groups.

Concerning natural resources, the implementation of mineral traceability in the Democratic Republic of the Congo has considerably reduced instances of armed groups directly benefiting from the exploitation and trade of tin, tantalum and tungsten. In addition, opportunities for indirect benefits from such minerals are decreasing. The Group found that the ITRI Ltd Tin Supply Chain initiative traceability system — while well intentioned and designed — has shortcomings in its implementation, enabling different actors to intentionally or inadvertently facilitate smuggling. The Group also documented several breaches of the chain of custody for mineral trade in North Kivu Province as well as the ongoing sale of tags on the black market in the Democratic Republic of the Congo.

The gold sector continues to suffer from the lack of a traceability system. Consequently, artisanally sourced gold from conflict-affected areas can still be exported to international markets through smuggling, involving illicit financial flows. The Group also found that a senior FARDC officer is involved in gold exploitation. In addition, International Conference on the Great Lakes Region certificates are being used in a fraudulent manner to export gold to Dubai, the main recipient of artisanally sourced gold from the Democratic Republic of the Congo. Kampala remains the main transit hub for gold smuggled out of the Democratic Republic of the Congo. The Group found that rules and procedures could be improved to allow airlines and the Democratic Republic of the Congo as well as

transit and recipient countries to more efficiently tackle smuggling by way of hand-carry gold.

The Group observed violations of the arms embargo, both within the Democratic Republic of the Congo as well as in the frame of cross-border dynamics. A network of Congolese and Burundian nationals, including elements of the Forces de défense nationale (FDN) of Burundi, was involved in arms trafficking in Uvira, South Kivu Province. The Group documented further violations of the arms embargo involving FDN and FDLR.

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* The annexes are being circulated in the language of submission only and without formal editing.

I. Introduction

1. This final report of the Group of Experts on the Democratic Republic of the Congo is being submitted pursuant to paragraph 9 of Security Council resolution 2293 (2016). The Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, after consultations following the tragic murder of two members of the Group of Experts, wrote to the Security Council noting the need to extend by a period of two months the deadline stipulated in resolution 2293 (2016) for the submission of this report to the Security Council. Subsequently, in resolution 2360 (2017), the Security Council extended the deadline for the submission of the report to 15 August 2017.

2. Pursuant to paragraph 11 of Security Council resolution 2293 (2016), as reiterated in paragraph 8 of resolution 2360 (2017), the Group continued to exchange information with the Panels of Experts on the Central African Republic, South Sudan and the Sudan.

Methodology

3. The Group used the evidentiary standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (see S/2006/997). The Group based its findings on documents and, wherever possible, on first-hand, on-site observations by the experts themselves. When this was not possible, the Group corroborated information by using at least three independent and reliable sources.

4. Given the nature of the conflict in the Democratic Republic of the Congo, there are few documents that provide definitive proof of arms transfers, recruitment, command responsibility for grave human rights abuses and the illegal exploitation of natural resources. The Group has therefore relied on eyewitness testimony from members of local communities, ex-combatants and current members of armed groups. The Group has also considered expert testimony by government officials and military officers from the Great Lakes region and United Nations sources.

Cooperation

5. The Group takes note of the support received from the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). It welcomes the efforts undertaken by the Mission to search for and attempt to rescue the two members of the Group of Experts.

6. During the period under review, the Group met with government officials, private sector actors and organizations in seven countries (see annex 1). The Group sent 77 requests for information to Governments and companies, and received varying levels of compliance with its requests (see annex 2). The present report covers investigations up to 15 June 2017. The lack of cooperation by some Member States slowed down the Group's efforts to trace arms and ammunition and hindered its investigations on the implementation of individual sanctions.

Implementation of recommendations of the Group's midterm report

7. In its midterm report, the Group made five recommendations on its findings about arms and natural resources to the Government of the Democratic Republic of the Congo and regional States (S/2016/1102, paras. 119-121). The Group is concerned that none of those recommendations has been implemented to date.

Challenges to the implementation of the asset freeze

8. The Group provided technical assistance to banking and microcredit institutions in the Democratic Republic of the Congo on the implementation of United Nations sanctions measures. In this regard, the Group observed a general lack of proper communication and procedures concerning United Nations sanctions, in particular from the Central Bank of the Democratic Republic of the Congo to the local institutions. This resulted in improper action and technical violations of the sanctions regime. In addition, there was a lack of a national legal framework allowing banks and financial institutions to freeze the assets detained by sanctioned individuals and entities without being exposed to litigation procedures.

Reporting obligations and mandate duration

9. The Group believes that the monthly updates are a useful channel for regular communication with the Security Council Committee established pursuant to resolution 1533 (2004), for which the Group shall maintain a regular presence in the field.

10. Furthermore, since March 2017, the Group is subject to a special security regime, which is more stringent than before. While the Group appreciates the attention to the security of its members, it also wishes to highlight that the resulting procedures have an impact on the execution of its field investigations. For this reason, the Group would deem it appropriate that the next resolution foresee a longer mandate (see para. 182 (b) (iii)).

II. Armed groups

11. During the period under review, the Group focused its investigations on the Forces démocratiques de libération du Rwanda (FDLR),[1] the Conseil national pour le renouveau et la démocratie (CNRD) and their local Nyatura allies. The Group also investigated the presence of Burundian armed groups, in particular the Forces républicaines du Burundi (FOREBU), and the situation in the Grand Nord including the Allied Democratic Forces (ADF) and Mai Mai groups. In addition, this section includes reports on the return of some elements of the ex-23 March movement (M23) and challenges linked to the reintegration of recently demobilized ex-combatants.

12. In North Kivu Province, during 2017, there was continued insecurity and recurrent fighting involving several interconnected armed groups across Rutshuru and Masisi territories. This was most notable in the Bashali-Mokoto (Masisi territory) and Bwito (Rutshuru territory) chiefdoms (see annex 3). As previously reported by the Group (see S/2016/466, paras. 6-18; and S/2016/1102, paras. 8-30), the presence of two armed groups originating in Rwanda, FDLR and CNRD, remained a key enabler for the continuing insecurity. The Group's investigations suggested that FDLR remained the stronger of the two and prevailed in terms of alliances with local armed groups, in particular Nyatura factions. CNRD however benefited from both the occasional collaboration with elements of the Forces armées de la République démocratique du Congo (FARDC) as well as the latter's current focus on fighting FDLR (see paras. 19-20).

[1] Unless otherwise specified, "FDLR" refers to the FDLR-FOCA (Forces combattantes Abacunguzi), as opposed to other splinter groups, such as the Rassemblement pour l'unité et la démocratie-Urunana or CNRD.

13. The Group noted a similar trend in the Grand Nord area where various Mai Mai groups have emerged during the period of reporting. While their names are new, they draw upon longer-term dynamics of armed mobilization. In addition, their activities are interconnected and in reaction to recent violence, including that of ADF and local militia networks. In South Kivu Province, the main networks thrive around and against Burundian armed groups, such as FOREBU. In response to these increasingly networked conflict settings, the Group organized its findings on armed groups according to the different connecting logics in the following subsections.

A. Forces démocratiques de libération du Rwanda

14. The Forces démocratiques de libération du Rwanda are a foreign armed group emanating from the former Forces armées rwandaises (ex-FAR) and operating in the Democratic Republic of the Congo since 2000. While weakened by FARDC-led Sukola II operations (see S/2016/466, paras. 10-15) and the breakaway of CNRD (see S/2016/1102, paras. 10-13), FDLR still showed resilience. This was mainly due to ongoing recruitment, alliances with local armed groups, the ability to generate revenues and its internal restructuring, including the dissolution of the Apollo sector and the Comete subsector (whose majority had defected to CNRD; see annex 4), making Sinai and Canaan the remaining sectors of FDLR (see annex 5).

15. Since the Group's last report, the FDLR senior leadership has not undergone many changes (see S/2016/1102, annex 5). In October 2016, the FDLR command decided to divide its headquarters between two different locations (see annex 6). By mid-2017, FDLR maintained no relevant positions outside Rutshuru territory. FDLR also lost two senior leaders: on 23 October 2016 "Colonel" Joseph Habyarimana (also known as Sophonie Mucebo), the FDLR head of military intelligence, was arrested by FARDC. On 12 November 2016, Mathias Gatabazi (also known as Enock Dusabe), the FDLR political commissioner, was captured by local CNRD allies and handed over to FARDC.

Alliances and recruitment

16. Nyatura ex-combatants as well as FDLR and CNRD members told the Group that FDLR was able to recuperate allies erstwhile lost to CNRD. While local Nyatura groups (see S/2016/1102, paras. 44-52) were divided over siding with either FDLR or CNRD after the split, the Group observed a clear shift towards FDLR again in 2017. Internal FDLR documents seen by the Group contained instructions to FDLR units, most recently in November 2016, to cultivate relations with local authorities and intensify collaboration with local allies. Based on convergent testimony by FDLR ex-combatants, the Group believes these "local allies" to be Nyatura groups (see annex 7). FDLR leaders also discussed the possibility of reviving an alliance with the Rassemblement pour l'unité et la démocratie (RUD)-Urunana (see S/2011/738, paras. 128-134). In September 2016, a decision was taken "to welcome back CNRD defectors" (see annex 8).

17. Combatants, military sources and local populations told the Group that FDLR continues to entertain cordial relations with the Alliance des patriotes pour un Congo libre et souverain (APCLS), a Mai Mai group led by "General" Janvier Karairi Buingo (see S/2011/738, paras. 219-237). FDLR also managed to foster novel coalitions such as the Alliance des patriotes pour la restauration de la démocratie au Congo (APRDC) and the Collectif des mouvements pour le changement (CMC) (see annex 9). Sources close to FDLR told the Group that this is consistent with previous attempts by FDLR to blend itself into local armed groups

(see S/2016/466, paras. 92-99).[2] Nyatura factions that adhere to these coalitions were involved in attacks in April and May 2017. The Group notes that both FDLR and CMC communiqués can be found at intabaza.com (see paras. 24-26).

18. The Group collected evidence that FDLR continued to recruit combatants, including from Rwandan refugees but also among the Congolese Hutu population and in some cases from Rwandan refugee camps outside the Democratic Republic of the Congo (see annex 10). At the same time, defections remained a serious challenge to FDLR.

Fighting against CNRD and FARDC

19. Internal documents shed light on how FDLR envisaged confronting CNRD, including the option of setting up a parallel command in South Kivu Province, capturing CNRD combatants as well as through propaganda (see annex 11), for instance through a communiqué signed by the acting FDLR president (see annex 12). Ex-combatants told the Group that, after a temporary lull, FDLR-CNRD clashes resumed from April 2017, with heavy participation of certain Nyatura factions. After intense combats, CNRD left its positions around the localities of Katsiru and around Mweso to almost completely retreat to the north-west into Walikale territory, as confirmed by local authorities and other sources to the Group.

20. On the other side of the Virunga National Park, Sukola II operations have started targeting FDLR again since mid-April 2017. United Nations and military sources confirmed that FARDC progressed towards the FDLR heartland north of Nyiragongo and Nyamulagira volcanoes in an attempt to target the senior leadership as well as the headquarters of the FDLR Commando de recherche et d'action en profondeur (CRAP) in this area.[3] While the senior leadership of FDLR was concentrated in a small area by mid-2017, they still retained bases in different, sometimes hardly accessible positions, further complicating the task of dismantling them.

Local supply and support

21. Supply and support are of vital importance to FDLR, especially since the onset of Sukola II operations (see S/2016/466, paras. 10-15; and S/2016/1102, paras. 14-17). As previously reported, there is no shortage of weapons in most FDLR units but ammunition remained a challenge. FDLR ex-combatants told the Group that usually AK-47 rounds cost around CGF 200 and uniforms cost US$ 10-20 when they buy them from individual FARDC soldiers, consistent with previously reported patterns (see S/2014/428, para. 54; S/2015/19, para. 71; and para. 159 below).[4] This can also take the form of barter, for example when FDLR sells marijuana or agricultural goods against ammunition.

22. The Group noted that FDLR maintained their system of "non-conventional logistics", with certain units or parts of units tasked to generate revenues in cash and kind through agriculture, fishing, charcoal and timber as well as trade and

[2] The Alliance des patriotes pour la restauration de la démocratie au Congo published a video displaying CMC combatants on its Twitter feed at https://twitter.com/aprdcongo/status/834982505837117442 (last accessed on 15 June 2017).

[3] This concerns acting president "Major General" Gaston Iyamuremye (also known as Victor Byiringiro or Rumuli, CDi.003), FOCA commander "Lieutenant General" Sylvestre Mudacumura (also known as Bernard Mupenzi or Pharaoh, CDi.012), and his deputy, "Brigadier General" Pacifique Ntawunguka (also known as Omega, Israel, CDi.024). "Colonel" Protogène Ruvugayimikore (also known as Gaby Ruhinda) commands the CRAP units.

[4] On 15 June 2017, the official exchange rate between Congolese francs (CGF) and United States dollars (US$) was: 1 US$ to 1,400 CGF.

taxation (see S/2016/466, annex 4). Ex-combatants told the Group about a unit called La vie ("life") whose mission was to negotiate the illicit taxes local populations are required to pay (see paras. 133-142).

23. The unit in question was led by an individual known as "Kanyoni" and had around 30 combatants. La vie operates near FARDC positions in Kagando and Bambu. Other than taxation, FDLR units also rent or occupy arable land to engage in their own agriculture. Ex-combatants told the Group that standard units do "non-conventional logistics", while the CRAP special forces are alimented by the former and focus on operations only.

External support networks

24. During the period under review, the Group observed that the websites intabaza.com, umucunguzi.com (Radio Umucunguzi), urugaga.org and rwacu.org (the Rwandan cultural society — RCS) promoted the ideology and the activities of FDLR and possibly raised money on their behalf via donations on a PayPal account of RCS, to which all the aforementioned websites redirected (see annex 13). The Group sent a request for information to PayPal Holdings, Inc. and is awaiting a reply.

25. The websites are all hosted in the Netherlands under the IP address 188.121.43.37 and administered by Ignace Ntirushwamaboko (also known as Darius "Sunray" Murinzi), residing in Canada. On 28 February 2014, Iyamuremye (also the acting president of the Front commun pour la libération du Rwanda (FCLR)-Ubumwe) designated Ntirushwamaboko as the FCLR representative for North America.[5] The Group found that Ntirushwamaboko published on the FCLR Facebook page until March 2016 and posted FDLR declarations on his own Facebook page until October 2016.

26. Supporting FDLR, an entity listed by the Committee established pursuant to resolution 1533 (2004), is a sanctionable offence under paragraph 7 (g) of Security Council resolution 2293 (2016). The Group sent requests for further information to the concerned parties, in particular regarding the money flows associated with the aforementioned websites to ascertain if those flows benefited FDLR, either directly or indirectly, and is awaiting their response.

B. Conseil national pour le renouveau et la démocratie

27. The Conseil national pour le renouveau et la démocratie is a foreign armed group that emerged following a split within FDLR (see S/2016/1102, para. 23). Since the Group's last report, CNRD has been weakened through arrests, defections, and the loss of most of its allies in North Kivu Province, with the exception of occasional FARDC collaboration. The Group collected new evidence regarding the split and its reverberations on the Rwandan refugee populations.

Leadership and locations

28. While "Colonel" Laurent Ndagijimana (also known as Wilson Irategeka or Lumbago) remains its leader, CNRD lost three senior officers: sanctioned individual and operations commander "Colonel" Félicien Nzanzubukire (also known as Fred Irakeza, CDi.023) and South Kivu sector commander "Colonel" Anastase Munyaneza (also known as Job Kuramba) were arrested by Congolese security services in Makobola and Uvira, respectively. Nzanzubukire was arrested on his

[5] See http://www.therwandan.com/ki/2014/02/28/ibyemezo-byinama-yihuriro-fclr-ubumwe-yateranye-kuwa-25-gashyantare-2014/ (last accessed on 15 June 2017).

way to a cash transfer agency with a fake Congolese electoral card under the name "Justin Makila" (see annex 14). "Colonel" Wellars Nsengiyumva (also known as Come) surrendered to MONUSCO and was repatriated to Rwanda.

29. "Colonel" Harerimana Hamada (also known as Mulamba Junior) remains the overall military commander (see annex 15). At the time of writing, the Group estimated the CNRD areas of influence in North Kivu Province to be reduced to the north of the Mweso-Pinga road, where Ndagijimana is located alongside "Colonel" Antoine Hakizimana (also known as Jeva) and "Lt. Colonel" Marc Nzeyimana (also known as Masambaka). In South Kivu Province, the CNRD headquarters is located near the town of Hewa Bora, from where it deploys mainly within Fizi territory.

Collaboration between CNRD and elements of FARDC

30. Three local sources in Bwito chiefdom told the Group they would regularly see CNRD and FARDC officers having meetings. FARDC officers told the Group that this was due to the high-quality intelligence they could gather from CNRD officers to help capture Mudacumura. CNRD also cohabitated with FARDC elements at revenue-generating checkpoints, for instance near the localities of Katsiru, Bweru and Kashuga.

31. In September 2016, CNRD supported FARDC operations aimed at capturing senior FDLR leaders near Kamondoka and Kiyeye. In October 2016, the Group witnessed the friendly handover from CNRD to FARDC in Katsiru. Three FARDC elements told the Group that they were "here with CNRD now". Civilians confirmed that as FARDC reached Katsiru, CNRD began preparing for an orderly retreat to take up surrounding positions.

32. The Group could not establish whether and to what extent this collaboration was sanctioned or known to the FARDC hierarchy. The Group sent an official communication to the Government of the Democratic Republic of the Congo in June 2017 but has not yet received a reply.

Update on the FDLR/CNRD split and the refugee situation

33. In its previous report, the Group analysed the split of CNRD from FDLR (see S/2016/1102, paras. 10-13). During the past months, the Group collected further evidence and testimony as to the reasons for the split. Senior FDLR members told the Group that the divergences over the technicalities of a biometric refugee census were just the straw that broke the camel's back, with a separation having been foreseeable for at least one or two years before CNRD was created in May 2016 (see annex 16).

34. Two ex-FDLR officers told the Group that, in order to motivate combatants to join CNRD, Ndagijimana initially paid salaries to combatants, offered bonuses for weapons they brought along and used politically charged arguments, including the prospect of a "dignified return" to Rwanda. Operational dynamics just after the split reinforced this narrative as FDLR sustained several months of significant pressure from FARDC as well as attacks from Nduma défense du Congo-Rénové (NDC-R) and certain Mai Mai Mazembe factions.

35. Changes in the political organization of the Rwandan refugees in North Kivu Province also mirror the schism between FDLR and CNRD. Hitherto unified within the Societé civile des Rwandais réfugiés en RDC (SOCIRWA), parts of the refugee community created the Societé civile internationale des réfugiés rwandais (SOCIR) in January 2017, led by Anastase Kamuhanda, who is also the CNRD humanitarian commissioner (see S/2016/1102, annex 16). During the period under review, the

Group observed that SOCIRWA maintained a traditional pro-FDLR stance while SOCIR leans towards CNRD (see annex 17).

36. Several ex-combatants told the Group that the refugees for the most part decided to support FDLR or CNRD on the basis of family ties or geographical origins. Sources close to the refugee community told the Group that a slight majority of refugees remained organized in SOCIRWA. Early in 2017, the Office of the United Nations High Commissioner for Refugees (UNHCR) estimated the number of Rwandan refugees in the Democratic Republic of the Congo at 245,000. The Group was not able to independently confirm their number.

C. Nyatura

37. As previously reported, at least a dozen smaller, local armed groups also operated in Bashali and Bwito (see annex 18). The armed groups in question use the name Nyatura, an umbrella term for most Congolese Hutu militias (see S/2016/1102, paras. 44-47). While the Group identified around a dozen factions, it focused its investigations on the three strongest, led by "Colonel" Kasongo Kalamo, "Colonel" Ndaruhutse Kamanzi, also known as Domi, and "Lt. Colonel" Muhawenimana Bunombe, also known as John Love.

38. The Group believes that, during the period under review, certain Nyatura factions committed acts sanctionable under Security Council resolution 2293 (2016). For example, Kasongo continued to recruit civilians into his group, and John Love continued to buy ammunition from individual State security agents. While the Group had previously reported that Nyatura factions were divided between FDLR and CNRD after the split in May 2016 (see S/2016/1102, para. 44), five ex-combatants told the Group that most of them allied to FDLR again, this being a sanctionable offence.

39. Both in northern Bwito, where intercommunal fighting continued (see S/2016/1102, paras. 103-107) and around the CNRD-FDLR frontlines between Bashali and southern Bwito, Nyatura often took a frontline role, increasing the firepower of the more organized FDLR and CNRD that provide training, supplies and ideology.

Nyatura Kasongo/Groupe de sécurité

40. The Groupe de sécurité, or the Forces de défense des droits de l'homme, is a Nyatura group led by Kasongo. Local authorities in Bashali-Mokoto told the Group that Kasongo continued to operate in their chiefdom in 2017, with strongholds around Mweso and Kashuga. Nyatura ex-combatants told the Group that other Nyatura leaders, including Ngwiti Bahati and "Noheri", operate under his influence. According to three Nyatura ex-combatants, Kasongo continued to recruit among the local Hutu population, despite his commitment to the Bashali demobilization ceremony organized in 2016 (see S/2016/1102, paras. 51-52). The Group notes that obstructing demobilization is a sanctionable offence.

41. Kasongo's group is made up of approximately 100 to 200 combatants, not all of them carrying individual weapons. Local State officials and civil society actors told the Group that, in Mweso and Kashuga, Kasongo is able to detain people and organize trials in collaboration with individual officers of the Congolese national police and other State institutions. In March 2017, Kasongo terminated a short-lived alliance with CNRD over a row regarding taxation and Kasongo's perception that CNRD did not live up to its commitment to return to Rwanda but instead sought contacts with returning ex-M23. In May 2017, Kasongo's group drove CNRD to the north of the Mweso-Kashuga road.

Nyatura Domi and Nyatura John Love

42. As previously reported (S/2016/1102, paras. 48-50), Domi and John Love remain close allies of FDLR in Bwito chiefdom. Domi is a former member of the Coalition des patriotes résistants congolais who created his own armed group in Bukombo grouping (see S/2008/773, paras. 114-120). Nyatura factions led by Nzayi Kanyange and "Jean-Marie" respond to him. FDLR documents suggest that, since 2014, Domi and John Love have a coordination structure involving "General" Benjamin Ndikuyeze, whom the Group identifies as the head of APRDC (see annex 19 and para. 17 above).

43. Local authorities and sources close to FDLR told the Group that Nyatura Domi — with support from FDLR — attacked a FARDC position east of Kitchanga on 8 May 2017. The operation was aimed at liberating detained combatants and seizing ammunition. Assaulting with considerable firepower, they killed four FARDC soldiers and freed 12 prisoners, including a FDLR officer, according to witnesses that spoke to the Group. Ex-combatants emphasized that Nyatura John Love continued to work closely with FDLR "Major" Evariste Ndayishimiye (alias Gouverneur Kizito). Two ex-combatants of a Nyatura John Love unit led by "Captain Kasigwa" also told the Group they continued to collaborate with FDLR, for training, and with individual policemen to buy ammunition for CGF 200 per round.

44. During the reporting period, Nyatura Domi maintained strongholds between Bukombo and Katsiru while Nyatura John Love had their headquarters in Muriki, exerting influence west and north up to Nyanzale and Kibirizi, respectively. Customary authorities in Bwito and sources close to FDLR told the Group that Nyatura Domi imposed taxes on approximately 3,000 households, including internally displaced persons from the camps near Kitchanga: CGF 1,000 monthly for the *lala salama* ("sleep peacefully") tax and a quarterly harvest tax of $5 per household. The Group estimates that these taxes, if collected without interruption, could yield up to an annual maximum of $40,000 to Nyatura Domi and its allies. Representatives of the internally displaced persons confirmed this pattern.

D. Forces républicaines du Burundi

45. The Group had previously reported on Burundian armed groups, focusing on the Forces nationales de libération (FNL)-Nzabampema (see S/2016/466, paras. 42-45), and the Résistance pour un Etat de droit (RED)-Tabara, also known as FRONABU-Tabara (see S/2016/466, paras. 33-41; see annex 20 for both). During the period under review, the Group observed further mobilization of Burundian armed groups on the territory of the Democratic Republic of the Congo as well as interference by the Forces de défense nationale (FDN) (see paras. 148-150). FOREBU, which has no particular ideology besides opposing the Government of Burundi, emerged as the most relevant Burundian armed group operating in the Democratic Republic of the Congo by mid-2017.

Leadership and locations

46. Since December 2015, FOREBU has been under the command of Colonel Edouard Nshimirimana, a FDN defector, and his second-in-command "Colonel" Abdu Rugwe. It is mainly active in Uvira and Fizi territories. FOREBU headquarters used to be located in the hills above Lusenda refugee camp, where UNHCR had registered over 26,000 Burundians by February 2017. During May and June, sources told the Group that significant elements of FOREBU had relocated towards Kiriama, in the hills above Runingu (see annex 21). Ex-combatants told the Group that FOREBU are made up of FDN defectors and newly recruited civilians,

including from Lusenda camp. Several ex-combatants told the Group they had earlier been involved with RED-Tabara as trainers (see S/2016/466, paras. 33-41), but had left since they disagreed with that group's ideology.

47. While Colonel Nshimirimana leads FOREBU on the ground, five ex-members of the movement and as many FARDC officers told the Group that Hussein Radjabu, a former-leader-turned-dissident of the ruling party of Burundi, the Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD), is their political leader. Many FOREBU members had ties to the Union pour la démocratie et le développement (UPD)-Zigamibanga, a political party created by Mr. Radjabu after he left CNDD-FDD. Speaking to the Group by telephone in June 2017, Mr. Radjabu acknowledged the existence of FOREBU but denied being its leader and stated not being aware of any FOREBU activities in the Democratic Republic of the Congo.

Supply and alliances

48. The Group collected convergent testimony about the logistics of recruitment as well as the supply of arms and ammunition. While Nshimirimana initially arrived with around 30 people in December 2015, FOREBU can be estimated to have between 300 and 500 combatants as of May 2017. Ex-combatants and FARDC officers told the Group that several waves of recruits arrived throughout 2016 from Burundi, mainly by boat from Rumonge to Swima and via Uvira. The Group also found that four Ugandan nationals were arrested by Congolese intelligence in February 2017 for attempting to join FOREBU (see annex 22). Many FOREBU combatants wear military uniforms and carry AK-47-pattern rifles, but also heavier weapons, including light machine guns.

49. Civilian populations in Fizi territory told the Group that, in most cases, FOREBU members would buy whole harvests of nearby fields or go to local markets instead of taxing supplies from local populations. This modus operandi suggests that FOREBU might enjoy certain forms of external support. Lusenda residents and civil society members told the Group that many combatants also had access to tokens allowing them to participate in food distribution events at Lusenda camp. FOREBU ex-combatants told the Group that further supplies were brought in across Lake Tanganyika in boats, including one named *ubumo twacu* ("our unity").

50. Late in 2016, FOREBU cohabitated with Mai Mai Réunion in northern Fizi territory according to the armed group's ex-combatants. Congolese intelligence services confirmed this. In addition, FOREBU tried to establish ties with other Congolese Mai Mai groups. At the same time, FARDC carried out several military offensives against FOREBU and other Burundian armed groups. This led to the detention of dozens of suspected Burundian combatants who confirmed to the Group that, in some instances, Congolese armed groups, including the Ngumino, would help to facilitate such detention.

E. Armed mobilization in the Grand Nord area

51. During the period under review, violence in Beni territory decreased compared to the recent past (see S/2016/466, paras. 185-213). In the meantime, armed mobilization around Butembo has significantly increased since the Group's last report (see S/2016/1102, para. 103). In addition to ADF, the Group focused its investigations on three armed groups: Mai Mai Kilalo, Mai Mai Mazembe and Mai Mai Corps du Christ. While they have no integrated command structure, they share a narrative of "protecting the civilian population" against FDLR and massacres attributed to ADF. The Group is not aware, however, of any fighting between these

armed groups and ADF. Instead, certain Mai Mai groups committed sanctionable acts, including attacks against peacekeepers (see para. 56) and internally displaced persons (see para. 58).

Allied Democratic Forces

52. In 2017, senior FARDC officers informed the Group that the Sukola I operations against ADF had slowed down and no large-scale attacks against civilians had occurred since the Rwangoma massacre on 13 August 2016 (see S/2016/1102, annex 34). The Group takes note of the recent military trial to establish responsibility for the massacres, held in Beni from February to April 2017. However, it is too early to assess the trial's long-term impact on the security situation. The Group limits its conclusions to certain specific aspects, focusing on abductions leading to large-scale forced recruitment, being a major violation of Security Council resolution 2293 (2016). The Government of Uganda reiterated that the Group cannot interview sanctioned individual Jamil Mukulu (CDi.015), arrested in April 2015 in the United Republic of Tanzania, until his trial in Uganda is over.

53. Ex-combatants, FARDC officers and former abductees told the Group that a core ADF group remained intact, operating out of Madina II (Bayt al-Mal, Whisper, Bango and Hedikota/Headquarters) and near Mwalika (Camp Ya Miba) (see S/2016/1102, paras. 31-43, for both). Several sources confirmed that Seka Baluku (Madina II), Benjamin Kisokeranyo (Mwalika) and an individual known as Feeza ("mobile group") remained key ADF leaders. The Group noted that local militias continued to operate around the ADF zone of influence, some of them having family ties to ADF leaders. Four sources told the Group that Feeza maintained relations with a militia based in Bambuba-Kisiki grouping.

54. The Group documented several cases of abductions leading to forced recruitment. In one case, seven people were kidnapped near Irungu, south of the Beni-Kasindi road, in March 2016. They were brought northwards until they reached a camp complex including Whisper, Bango and Headquarters (see annex 23). Most people in the camp spoke Luganda and Swahili. Three individuals told the Group that the leader was Baluku and recognized him in pictures. They estimated the camp population to be around 300 to 500 people, most of them combatants armed with AK-47-pattern rifles and wearing a mix of civilian clothes, FARDC camouflage and older green fatigues. The Group notes that the latter were reintroduced to avoid ambiguity between FARDC and armed groups. Two sources told the Group they were forced into agricultural labour and had to abide by a tight set of rules, such as not cooking at night to avoid being detected. This is consistent with the Group's previous findings (see S/2016/1102, paras. 40-43). Between the abduction and their escape in January 2017, all the witnesses interviewed by the Group gave consistent testimony about one attack against the camp, led from nearby FARDC positions.

55. Since late 2016, the Group has observed several events in which abductions ended in a prompt release. On 13 February 2017, a group of seven farmers and two children were kidnapped in their fields near Mayangose and subsequently released on 25 February 2017, carrying two messages, the first one for the Government of the Democratic Republic of the Congo: "[...] tell the Government that they can never chase us from this forest. Waging war will not lead to anything, if there are no talks, nothing will change." A second message was addressed to the farmers themselves: "If we kill you it is because you talk too much and inform the FARDC of our whereabouts." Several of the farmers recognized Feeza as the leader of the kidnappers. They also reported that his troops were wearing a mix of camouflage and green FARDC uniforms.

Mai Mai Kilalo/Union des patriotes pour la libération du Congo

56. Mai Mai Kilalo is also known as the Union des patriotes pour la libération du Congo (UPLC). Its leader Katembo Kilalo is locally renowned for the production of *dawa*, the potion allegedly used to render combatants invincible (see annex 24). According to ex-combatants, Kilalo had previously served in the Mai Mai groups of Kakule Sikuli "Lafontaine" (see S/2011/738, paras. 266-269) and Paul Sadala "Morgan" (see S/2013/433, paras. 72-78). His deputies are "Colonel" Benoit Mumbere Malisawa and "Colonel" Kakule Kitelemire (alias Saperita or Mambari Bini Pélé), a former Mai Mai and FARDC. Ex-combatants told the Group that this armed group was based around Vurondo, north-west of Butembo (see annex 25) and responsible for the attack against MONUSCO in Butembo on 19 December 2016 (see paras. 177-179).

57. Ex-combatants and FARDC officers told the Group that Mai Mai Kilalo had 200 to 300 combatants, though not all of them had individual guns. The Group collected testimonies of ex-combatants who were forced into Mai Mai Kilalo following abductions or initially lured by fake promises of employment by recruiters, for instance out of a football club called FC Mahamba B. Mai Mai Kilalo sustained itself through taxation (see annex 26), including in farms ($5 per farm/ week or one goat/month) and at checkpoints (CGF 1,500 per motorcycle, CGF 500 per pedestrian).

Mai Mai Mazembe/Union des patriotes pour la défense des innocents

58. Mai Mai Mazembe is a network of loosely connected armed groups, some of which also use the name Union des patriotes pour la défense des innocents, that emerged in 2015 in Lubero territory (see S/2016/466, paras. 78-79). On 27 November 2016, Mai Mai Mazembe combatants attacked the internally displaced persons camp in Luhanga, where they suspected FDLR elements were hiding. At least 30 internally displaced persons were killed during the attack, which followed a series of other assaults (see annex 27 and S/2016/1102, paras. 103-107). In line with previous findings, the Group observed the spread of xenophobic tracts featuring endorsements of Mai Mai Mazembe to "defend the Nande against the Hutu" (see annex 28 and S/2016/466, annex 59).

59. Mazembe factions operated relatively independent from each other and with limited logistics. It is thus not possible to exactly enumerate their effectives. Three ex-combatants told the Group, that one "brigade" had 100 elements but only 15 firearms. Like other Mai Mai groups, Mazembe tried to protect themselves from enemy fire through *dawa*. Ex-combatants told the Group that Mazembe's main leaders were "Kabido", "Colonel" Augustin Kambale, "General" Muhindo Kitete Bushu and "Colonel" Albert Kasheke.

Mai Mai Corps du Christ

60. Early in October 2016, a coalition of Mai Mai groups entered Beni with the aim of fighting ADF (see annex 29). While most carried amulets and spears, there were also some with firearms. The Group could trace back this coalition's origin to an armed group called Corps du Christ, based out of Mont Carmel near Butembo. FARDC officers and ex-combatants told the Group that Corps du Christ repeatedly clashed with FARDC between October and December 2016, including near the Butembo-Beni road and at Mont Carmel, which FARDC retook on 3 November. Until his surrender to MONUSCO on 13 December 2016, the armed group's leader was Baraka Lolwako Mumbere, known for usually wearing a Congolese national police uniform.

61. After Baraka's surrender, David Maranatha took over the leadership. However, on 9 January 2017, in a radio broadcast in Swahili, sanctioned individual Kakolele Bwambale (CDi.002) proclaimed himself leader of Corps du Christ. Individuals associated with Corps du Christ and intelligence sources told the Group that Maranatha and Kakolele met in mid-January in Nairobi to discuss how to reorganize the movement. On 7 February, FARDC military intelligence arrested Maranatha but, on 11 June 2017, he managed to escape on the occasion of an attack on Kangbayi prison in Beni that set free around 930 of the 960 inmates. Corps du Christ maintained relations with Kakule Sikuli (see S/2011/738, paras. 266-269) and Charles Bokande (see S/2016/466, paras. 81-91).

F. Former 23 March movement

62. Starting in mid-January 2017, an estimated 200 ex-M23 returned to the Democratic Republic of the Congo, led by sanctioned individual "Brigadier General" Sultani Makenga (CDi.008), the former military leader of M23. While the Group notes that armed group incursions into the Democratic Republic of the Congo are threats to peace and stability, its findings suggest that this incident was a short-lived, unsuccessful attempt to revive M23. During the period under review, the Group could not find any indication of external support for this incursion. Hence, the Group believes that any sustainable solution for the M23 question requires rather a political than a military approach, starting with the full implementation of the Nairobi Declaration of December 2013.

Escape from Bihanga and reorganization in Virunga National Park

63. Ex-M23 combatants interviewed by the Group in Rwanda, Goma and Rutshuru confirmed that they had escaped from Bihanga camp in Uganda. Of the 1,375 ex-combatants who arrived there in 2013, only 270 remained in February 2017 according to the Government of Uganda. Several ex-M23 combatants told the Group there were no entry or exit controls in Bihanga, allowing them to escape in small groups. While concordant sources estimated that around 200 ex-M23 combatants managed to cross into the Democratic Republic of the Congo, Ugandan security forces intercepted 101 escapees in Mbarara on 18 January 2017 (see annex 30).

64. From Bihanga, most ex-M23 took buses towards Mbarara, before arriving in the area of Kisoro. FARDC officers and guards of the Virunga National Park underlined the challenges of performing effective and accurate border control given the lack of clear signposting. Talking to the Group, surrendered ex-M23 confirmed they crossed the border by night using forest paths to reach a meeting point near Mount Sabyinyo. Around 150 elements gathered there, including Makenga, "Lt. Colonel" Léon Kanyamibwa, "Colonel" Yusuf Mboneza and Erasto Bahati (see S/2012/348, para. 68, box 1 and annex 18; S/2012/348/Add.1, para. 38; and S/2013/433, para. 44). Ex-combatants told the Group that some of the commanders steered the sequential escape with the help of middlemen and mobile money transfers. The Group was unable to trace those transfers.

65. From Mount Sabyinyo, the main part of this armed group moved south and established camps inside Virunga National Park just south of Mount Mikeno. Though poorly equipped with only around a dozen rifles (mostly recovered individually near Cyanzu and Runyoni), most combatants were given a pair of new boots. Most officers had handheld VHF radios and cell phones. Surrendered combatants reported that food supply was poor and very few officers wore uniforms, including Congolese, Ugandan and Rwandan ones.

Clashes between ex-M23 and FARDC

66. On 27 January 2017, two FARDC Mi-24 helicopters crashed at the southern flank of Mount Mikeno while searching for suspected ex-M23 positions in the area. The Group believes that the first helicopter collided with a tree during low altitude manoeuvres while the second went down because of a technical defect (see annex 31). Despite the losses, FARDC dislodged the ex-M23, killing four and capturing three; the rest fled, 30 of them crossing to Rwanda unarmed, on 29 January 2017 (see annex 32). They were granted temporary refugee status by the Government of Rwanda and were visited by the Group in May 2017. The remaining ex-M23 combatants moved back north towards the Sabyinyo area where they merged with about 70 elements that had arrived from Uganda in the first half of February. With a total of over 150, this group reorganized into three "companies", one of which remained near Sabyinyo, one near Bunagana and the third attempted to move towards Masisi territory.

67. On 21 February 2017, FARDC attacked the ex-M23 near the localities of Songa and Karambi. They met little resistance and over 50 ex-M23 moved towards Kitagoma on 22 February before they fled back into Uganda where at least 42 of them were arrested by the Uganda People's Defence Forces, including "Lt. Colonel" Ezechiel Mikekeno and "Colonel" Eric Ngabo (see annex 33). FARDC killed 12 ex-M23 combatants, recovered four weapons and registered that seven persons had been admitted to Rutshuru hospital.

G. Cases of participants in disarmament, demobilization and reintegration returning to Mai Mai groups

68. The Group is concerned about the remobilization patterns of ex-combatants who had undergone the third National Programme for Disarmament, Demobilization and Reintegration in Kamina and Kitona. While the Group has not undertaken a full, countrywide investigation, the following snapshot suggests that challenges linked to the reintegration of ex-combatants remain the most difficult part of disarmament, demobilization and reintegration programmes.

69. One example involved the former Mai Mai groups led by Mateke Wilondja "Mayele" and "Diego Maradona". Both underlined that some of their former combatants rejoined other armed groups after having returned from the disarmament, demobilization and reintegration programme. The Group collected information on 12 ex-combatants of Mai Mai Kashilogozi, who returned from Kamina in June 2017 and remobilized with Mai Mai Masabo (ex-Mai Mai Baleke) (see S/2012/843, para. 113). Five returnees and other sources told the Group that ex-combatants returning from the disarmament, demobilization and reintegration programme to Masisi and Rutshuru have rejoined armed groups, including Nyatura and Mai Mai groups. During the period of reporting, however, the Group was not able to systematically establish the total number of remobilized participants in the disarmament, demobilization and reintegration programme across the Democratic Republic of the Congo.

70. In the framework of the third National Programme for Disarmament, Demobilization and Reintegration, a total of 4,656 Congolese ex-combatants (1,561 in Kitona and 2,216 in Kamina), of which 3,777 have already returned home, underwent demobilization. The Group also learned that 879 ex-combatants remained in the centres as of June 2017 (see annex 34). Ex-combatants also noted that reintegration activities were carried out in a partial manner only, and that the practical training lacked the necessary materials. This reflects the continuation of the challenges the Group previously noted (see S/2015/19, annex 23). Official

statistics obtained by the Group suggested that 80 per cent of the kits were distributed across the country. However, returnees interviewed by the Group stated that they received incomplete or the wrong kits, meaning they lacked the tools required for their chosen career. The Group believes that this situation was an opportunity for commanders to lure demobilized combatants into joining armed groups again.

III. Natural resources

71. During the period under review the Group documented several breaches of the mineral chain of custody for tin, tantalum and tungsten in the Democratic Republic of the Congo. In addition, the Group continued its investigations into the trading and smuggling of artisanally sourced gold. The Group also investigated charcoal production and taxation by FDLR in Rutshuru territory.

72. The Group's findings are based on several visits to North Kivu, South Kivu, Tshopo, Haut-Katanga and Ituri provinces. The Group also conducted visits to Kampala, an important hub for smuggled Congolese gold, and to Dubai, the main destination market for gold traded from the Democratic Republic of the Congo and the Great Lakes region.

73. The Group notes that illegal exploitation and trade of natural resources remained sources of revenue fuelling the ongoing insecurity in the eastern Democratic Republic of the Congo. At the same time, criminal networks, including inside FARDC, continued to benefit from illicit financial flows and money laundering associated with mineral smuggling.

A. Tin, tantalum and tungsten

74. The Group appreciates that mineral traceability and the due diligence measures referred to in paragraph 24 of Security Council resolution 2293 (2016) have allowed minerals legally sourced from areas free from interference by armed groups in the Democratic Republic of the Congo to access international markets.

75. The above-mentioned positive trends notwithstanding, the Group found that the implementation of the ITRI Ltd Tin Supply Chain initiative (iTSCi) traceability system in use in the Democratic Republic of the Congo had several shortcomings, which could lead to the smuggling of minerals from outside the chain of custody into the legal trading circuit. First and foremost, errors or deliberate acts committed by agents responsible for tagging, such as tagging mineral consignments from non-validated sites, could disrupt the integrity of the whole chain.

76. Second, the Group found that agents of the Service d'assistance et d'encadrement du small-scale mining (SAESSCAM) did not properly implement the rules and instructions issued by ITRI Ltd for the handling and overseeing of the tagging operations (see annex 35).[6] Finally, the iTSCi procedures for the safekeeping and storing of tags and logbooks rendered them vulnerable to misuse by corrupted agents.

Illegal sale of tags

77. *Négociants* informed the Group that in the trading centre of Ndjingala, as well as in Mubi and Walikale town, tags were sold on the black market, allowing

[6] On 14 June 2017, ITRI Ltd sent a letter to the Group replying to questions addressed in the Group's mid-term report (S/2016/1102) and the present final report.

minerals sourced from the non-validated site of Bisie (see S/2014/42, para. 206 and annexes 79 and 83) and Mpafu/Nyakoba to permeate the legal chain of custody. Those sources informed the Group that tags could be purchased for about $3 per 50-kg bag of minerals, or $500 per 10 tons (equivalent to $2.5 per tagged bag). This is consistent with the Group's previous findings for the Democratic Republic of the Congo and Rwanda (S/2015/19, paras. 173-180 and 189; and S/2015/797, paras. 59-67).

Bisie

78. ITRI Ltd authorized the tagging of cassiterite, the raw ore for tin, artisanally sourced from the non-validated site of Bisie between February and November 2016.

79. A large number of *négociants* based in Ndjingala, Mubi, Walikale and Goma informed the Group that artisanal production in Bisie continued after November 2016. They revealed that cassiterite was illegally tagged in Ndjingala trading centre as sourced from other validated sites in the area, such as Bisagowa, Kalay Boeing and others (see annex 36).

80. The Group observed that the statistics reported in the iTSCi logbooks showed peaks in the production of the aforementioned validated sites around Bisie from November 2016 to March 2017. In March 2017, when investigations on tagging irregularities in Walikale territory began, the production recorded in iTSCi logbooks for Bisagowa and Kalay Boeing dropped to zero.

81. The Group is of the view that these peaks and drops in production were too pronounced to be the result of a normal production cycle and thus reinforce its findings that minerals tagged between November 2016 and March 2017 from the aforementioned sites did not originate from those sites, but were likely brought in from Bisie.

Mpafu/Nyakoba

82. In furtherance to the above observations, the Group also documented minerals extracted since 2015 from the non-validated site of Mpafu/Nyakoba in the Bafuna locality of the Wanianga sector in Walikale territory. Those minerals were tagged in Walikale town and Mubi as originating from validated sites.

83. The site of Mpafu/Nyakoba is exploited by the Eglise de la Pentecôte pour l'Evangélisation du Monde (EPEM) church, which claims legal ownership of mining premises called Nyakoba Canaan EPEM Walikale. The Group saw produced minerals stocked in a warehouse on EPEM premises in the village of Nyamianda, 5 km south of Walikale town (see annex 37).

84. According to one of the EPEM leaders and to *négociants* interviewed by the Group, EPEM mineral consignments were then tagged in Walikale town and Mubi as originating from validated sites, at the price of $3 per tagged bag. These sources revealed that the fraud was made possible by the fact that some mining police agents, one member of the provincial Division des mines (the technical arm of the Ministry of Mines) and SAESSCAM agents in Walikale town, Mubi and Ndjingala were EPEM members.

Transport of minerals

85. The Group documented three cases of fraud along the Walikale-Masisi-Goma road. In these cases, transporters carried more minerals than the quantity declared in the respective transport authorizations issued by SAESSCAM agents at tagging centres (see annex 38).

86. Transporters along the aforementioned axis, as well as workshops in Walikale town and Mubi, confirmed having reinforced the chassis and suspensions of vehicles in order to transport more weight than declared in official documents. These sources revealed that most vehicles used by transporters of minerals are 5-7-ton trucks that are brought up to 10 to 12 tons load capacity or 2-ton *camionettes* that are reinforced to carry 3 to 4 tons. Transporters informed the Group that, while trucks had more load capacity, *camionettes* were the most used by smugglers as they offered more hideouts for minerals (for example, spare tyre bay and spaces between the chassis and the plank). These sources and others from the Division des mines in Walikale and Masisi territories told the Group that transporters regularly bribed SAESSCAM agents to underreport the quantity of minerals actually transported in order to partially evade mineral taxes and other tolls.

87. The Group is aware of projects in the Democratic Republic of the Congo to strengthen the technical capacity to detect fraud in the transport of goods, including minerals (such as the installation of six weighbridges along the Kisangani-Walikale-Masisi-Goma axis). The Group is of the view that such technical means can be a useful support but should not be a replacement for the adoption of structural measures to address the problem of corruption among agents responsible for the tagging of minerals.

Problems with the validation of Mahanga sites

88. In its previous report (S/2016/1102, paras. 80-84), the Group expressed concern about the presence of the armed group Forces de défense du Congo (FDC)-Guides in the mining sites of Rubonga, Kibanda and Mushwao/Maboa, in the locality of Mahanga. The sites are exploited by two cooperatives, the Coopérative minière pour la promotion des communautés congolaises (COMIPCC) and the Coopérative des exploitants miniers de Karamo (CEMIKA), both based in Goma.

89. The Group visited Mahanga and found that FDC defectors led by "Colonel" Tumusifu directly benefited from mining in the site of Rubonga. The Group also spoke to members of the Mouvement aquis au changement, an earlier breakaway faction of FDC led by "General" Mbura in Buhimba, and to members of APCLS stationed in Mahanga. The two villages overlook the mining sites.

90. According to *comptoirs*, ITRI Ltd, SAESSCAM in Rubaya and Division des mines staff in Nyabiondo, Masisi, Rubaya and Goma interviewed by the Group, armed group presence in and around the Mahanga area was known but considered to be far enough from the above-mentioned mining sites to not interfere with operations; subsequently ITRI Ltd authorized tagging operations from those sites in August 2016.

91. The Group thus observed that, at the time of writing, at least three different armed groups (FDC-Guides, MAC and APCLS) occupied areas around validated mining sites. APCLS elements led by "Colonel Safari Hibou" and the late "Colonel" Tumusifu organized their own police and taxation systems in Mahanga. At the same time, FDC controlled Muhima while MAC occupied Buhimba, right next to the alluvial mining site of Rubonga.

92. APCLS elements, local miners and villagers in Mahanga, as well as two mining police officers in Nyabiondo, informed the Group that one out of 10 plots of the Rubonga mining site along the Bitsombito River benefited "Colonel" Tumusifu until his killing in November 2016. Miners working for COMIPCC and CEMIKA exploited the remaining nine plots. The Group believes that a part of minerals sourced from Rubonga, including during the period when official tagging was still allowed, benefited Tumusifu. This constitutes a violation of Security Council

resolution 2293 (2016) and a major breach of the due diligence procedures of the Democratic Republic of the Congo.

Tagging from sites after their suspension

93. During the period under review, the Group found that tagging of minerals from the mining sites of Rubonga (Masisi territory) and Kalay Boeing (Walikale territory) continued. This was the case after ITRI Ltd suspended these sites due to the proven presence of armed groups there.

Rubonga

94. On 19 October 2016, following reports of FDC presence, ITRI Ltd decided to suspend operations at all Mahanga sites and asked SAESSCAM to hand over tags and logbooks. SAESSCAM, however, handed over material to ITRI Ltd only on 3 November 2016 (see annex 39) and on 30 October 2016 tagged nine bags with a total of 421 kg of cassiterite from the Rubonga site produced by COMIPCC (see annex 40). ITRI Ltd informed the Group that the aforementioned tags were located only in April 2017, six months after they were unduly used, at the premises of a *comptoir* in Goma.

95. The Group visited Mahanga in January 2017 and performed an air reconnaissance in February, observing that production in Rubonga continued despite the suspension (although Kibanda and Mushwao/Maboa sites showed much less activity). The Group notes that COMIPCC and CEMIKA, the two aforementioned mining cooperatives, still operated on the suspended sites: COMIPCC, which employed 51 workers on Rubonga site, had consolidated stocks of 1,700 kg of cassiterite on 19 December 2016 (see annex 40) and about 2 tons by February 2017, in its premises in Nyabiondo. CEMIKA told the Group it had 2 tons stocked in Mahanga by late February 2017. The Group also gathered consistent information, including by sources close to "General" Mbura, that four *négociants* from Goma, working under his protection, purchased and stocked 1,500 kg of cassiterite in Buhimba as of May 2017.

Kalay Boeing

96. The Group notes that the Mai Mai Simba faction commanded by "General" Mando Mazero has made recurrent incursions into the mining site of Kalay Boeing since at least 7 January 2017. Speaking to the Group by telephone, "General" Mando confirmed the presence of his elements, as well as his intention to continue regular patrols in and around Kalay Boeing in reaction to the continuing influence in mining operations of the Biruwe-based FARDC elements.

97. ITRI Ltd informed the Group that, following those incursions, tagging operations at Kalay Boeing were suspended. The Group observed that, despite the alleged suspension, iTSCi logbooks reported 38,247 kg of cassiterite tagged from Kalay Boeing from 18 to 23 January and 9,513 kg on 4 February. ITRI Ltd informed the Group that, of the 73 tags unduly used to tag minerals from Kalay Boeing after its suspension, 68 had been located, while five remained missing.

98. ITRI Ltd also informed the Group that tagging at Kalay Boeing had resumed on 12 April 2017 and continued to date. Following "General" Mando's claim that his elements continued incursions into the site after 11 June 2017, the Group sought additional clarification from ITRI. During a telephone conversation in June 2017, ITRI Ltd told the Group that it was aware of Mando's continued presence in Kalay Boeing but stressed there was no indication that his troops benefited in any way from mining operations.

B. Gold

99. The Group notes that there has been little progress towards the regulation of artisanally sourced gold since its last report (see S/2016/1102, paras. 56-76). In line with a recommendation contained in the Group's last final report, the Governments of the United Arab Emirates and Uganda provided information on their efforts to stop the sale of gold smuggled from the Democratic Republic of the Congo to their territories (see annex 41). The Government of Burundi has not yet replied (see S/2016/466, para. 241).

100. A long-awaited gold traceability scheme (Initiative pour la traçabilité de l'or artisanal) was publicly launched on 12 June 2017 in the Democratic Republic of the Congo. Nevertheless, it is still unclear when the implementation phase will start. The Group believes that the system should be further monitored in order to determine if it can solve the problems related to the lack of traceability.

101. The Group is aware of cases involving FARDC elements and other armed actors in the exploitation and trade of gold across the Democratic Republic of the Congo. This was consistent with the Group's previous findings (see, for example, S/2012/843, paras. 132, 133 and 135; S/2014/42, paras. 161-169; and S/2015/19, paras. 195-196). In the following subsection the Group presents its findings on the involvement of a senior FARDC officer in illegal gold exploitation.

Major General Gabriel Amisi Kumba

102. The Group documented the involvement of Major General Gabriel Amisi Kumba, also known as Tango Four (see S/2012/843, paras. 121-123 and 138), the FARDC commander of the first defence zone of the Democratic Republic of the Congo, in the gold sector. The Group notes that article 27 of the 2002 mining code of the Democratic Republic of the Congo excluded FARDC officers from any involvement in the exploitation and trade of natural resources.

103. In December 2016, a mining agent based in the town of Bafwasende, Tshopo Province, told the Group that when he was in Bomili to collect taxes from gold operators, two dredge operators refused to pay any State tax, arguing that Major General Amisi owned their dredges. In January 2017, during a visit to Bomili, four dredge owners and two miners working on the Awimi River told the Group that Major General Amisi owned four dredges through a local company called La Conquête. Two State mining agents in Kisangani and Bafwasende, as well as one civil society actor, also informed the Group that Major General Amisi owned dredges on the Awimi River in the city of Bomili, Bafwasende Territory.[7]

104. During the period under review, the Group collected testimony that La Conquête's management enjoyed instances of FARDC protection, for example in May and June 2016, as confirmed by Bomili-based sources. Several sources told the Group that gold from Major General Amisi's dredges was sent mainly to Kisangani.

105. Four dredge owners told the Group that gold production was low in January 2017 on the Awimi River compared to previous months, but still averaged 50 g daily per dredge. Two months earlier, in November 2016, the production was around 100 g daily per dredge.[8] The same sources told the Group they experienced periods when the production was as high as 500 g daily for each dredge operating on the

[7] The Group has previously reported on the dredging activity in the Democratic Republic of the Congo (see S/2015/19, paras. 192-194 and 225 (a); S/2015/797, paras. 68-73; and S/2016/1102, para. 69).

[8] Gold is traded in Bomili at $40/g, in Kisangani at $42-$45/g and in Butembo at $45-$50/g.

Awimi River. The Group sought to clarify these findings with Major General Amisi but could not reach him at the time of writing.

Patterns of gold smuggling

106. As previously reported (see S/2014/42, para. 171), the Group confirmed that almost all artisanally sourced gold in the Democratic Republic of the Congo was exported illegally and underestimated in both value and volume (see, for example, S/2016/466, para. 123). In 2016, the country officially exported 244.42 kg of gold according to the Commission interministérielle d'harmonisation et de consolidation des statistiques. The Group believes that these statistics underrepresent the actual volume of exports.

107. Exports declared by *comptoirs* do not reflect the reality of the market. For example in Butembo, the sole *comptoir*, Glory mineı ·ls, Glorym (see S/2016/466, paras. 140-144), declared less than 7 kg of gold exports in 2016. This contradicts information the Group obtained during its investigations. For instance, traders working at gold mining sites in North Kivu and Tshopo provinces told the Group that most of their production was sold in Butembo. Among others, the associates of Glorym continued to illegally export the largest part of the gold they purchased. Several people implicated in the gold trade in Bukavu and Bunia, two major gold trading hubs in the Democratic Republic of the Congo, told the Group that similar dynamics prevail there.

108. The Group conducted an investigation on a Congolese national, Ms. Elysée Kanini Chibalonza. In October 2016, customs agents in Dubai found 150 kg of undeclared gold in her luggage (see annex 42). Ms. Chibalonza was flying from Lubumbashi on Ethiopian Airlines.[9] The Group recovered records of Chibalonza's travels between Lubumbashi and Dubai from January 2015 to January 2017, confirming that she travelled at least once a month on this route (see annex 43). The Group visited Lubumbashi in February 2017 in order to investigate whether Ms. Chibalonza was affiliated with any *comptoir*, since these are the only entities allowed to acquire licences for gold export. Mining authorities told the Group that throughout 2016 Romineral Congo SARL was the only registered *comptoir* to have officially exported gold from Lubumbashi to Dubai, on three occasions in total. In May 2017, during a telephone conversation with the Group, Romineral's manager denied any affiliation with Ms. Chibalonza.

109. The Group believes Ms. Chibalonza to be a smuggler. It is unclear where the gold she exported from Lubumbashi was obtained. However, the Group's investigation cannot exclude that some of the gold traded in Lubumbashi originated from high-risk or conflict-affected areas in provinces such as South Kivu, Kasai or Tanganyika. In the absence of information from the Government of the United Arab Emirates, the Group is unable to estimate the total volume of gold Ms. Chibalonza could have carried to Dubai. To illustrate the magnitude of the issue, if Ms. Chibalonza had carried 150 kg of gold on each of her trips, she, alone, could potentially have smuggled up to 3.6 tons throughout the last two years. This is not an isolated case and highlights weaknesses in the control of hand luggage by airlines (see paras. 110-112) as well as recipient and transit countries (see paras. 118-125).

[9] Gold with a volume of a litre weighs roughly less than 20 kg. Standard size measures adopted by most commercial airlines suggest that a piece of hand luggage usually has a volume of around 15 litres. Hence, a passenger could theoretically travel with up to 300 kg of gold in a single carry-on bag.

Commercial airlines

110. Airlines play an important role in enabling the transport of unwrought gold from the Democratic Republic of the Congo to Dubai. For example, four people involved in the gold sector told the Group that it was common practice for smugglers to purchase additional, empty seats in order to maximize the amount of gold smuggled on one single trip.

111. The Group requested information from the International Air Transport Association (IATA), Ethiopian Airlines and Kenya Airways, two airlines connecting Lubumbashi with Dubai, to know whether they had adopted specific measures to tackle the problem related to hand-carry gold. In a response to the Group's request dated April 2017, IATA clarified that it had not issued an instruction or mandated standards for its members. In June 2017, Ethiopian Airlines responded that while they had a procedure for securing and protecting valuable items from theft, they had no procedure to perform origin checks for transported gold and to authenticate the identity of carriers. In July 2017, Kenya Airways told the Group that the company does not allow transportation of gold either as checked or as hand luggage on the aircraft.

112. On the basis of the replies from IATA and Ethiopian Airlines, the Group understands that it is the responsibility of customs at the airport of departure to check the luggage and ensure that passengers have the required documents for gold export before boarding a flight. However, the Group's investigations suggest that customs in the Democratic Republic of the Congo and neighbouring countries, from where smugglers are boarding or transiting to Dubai, do not play their role. Several sources, including customs agents and people involved in the gold sector, told the Group that smugglers bribe State agents at Entebbe, Nairobi and Lubumbashi airports to pass unhindered through controls.

Congolese International Conference on the Great Lakes Region certificates

113. In June 2016, 50 International Conference on the Great Lakes Region certificates to ensure the traceability of minerals disappeared from the Centre d'évaluation, d'expertise et de certification (CEEC), the official agency issuing such certificates in the Democratic Republic of the Congo. The Group confirmed the illegal use of at least two of those certificates.

114. CEEC investigated the disappearance of the 50 certificates (see annex 44). Its inquiry was prompted in June 2016 after Belgian authorities refused to clear the export/import of a gold parcel associated to International Conference on the Great Lakes Region certificate number CD00007976. The Group has requested further information from the Government of Belgium and is awaiting a response.

115. In February 2017, three Congolese mining agents told the Group that a second missing certificate, number CD00001892, was used in Lubumbashi to export 99.5 kg of gold to Dubai via Nairobi on a Kenya Airways flight. After receiving this information, the Group requested additional details from the Government of Kenya and has not yet received a reply. The Group also shared this information with the Government of the United Arab Emirates for further investigations.

116. The Group is not aware whether the internal investigation by CEEC identified the person(s) responsible for the disappearance of the certificates given that no one has been held accountable to date. Furthermore, the Government of the Democratic Republic of the Congo has not yet replied to the Group's request for further information about its efforts to address this issue with the International Conference on the Great Lakes Region secretariat, as well as destination countries.

117. The Group notes with great concern that, beyond these two cases, further certificates could be used to smuggle gold or other minerals, including those sourced from mining sites under the control of armed actors. While the latter violates paragraph 7 (g) of Security Council resolution 2293 (2016), the Group emphasizes that the misuse of certificates also facilitates the generation of illicit financial flows and enables money-laundering.

The role of foreign countries

118. Beyond its investigations in the Democratic Republic of the Congo, the Group also notes that events in transit as well as destination countries for Congolese gold remain paramount to the dynamics of illegal exploitation and trade. Below, the Group focuses its observation on two examples.

Uganda

119. The Group had previously reported that Kampala-based gold traders were buying gold smuggled from the Democratic Republic of the Congo (see S/2014/42, paras. 182-188; and S/2015/19, paras. 199-201). During the period under review, the Group received testimony from several sources based in Bunia, Butembo and Kampala, all of which are involved in gold trading. They confirmed previously reported patterns of smuggling. In the course of its investigations, the Group received names of individuals and companies that illegally buy gold exported from the Democratic Republic of the Congo. Given that it has not yet been possible to confirm all of these cases according to its evidentiary standards, the Group believes this should be further investigated.

120. The Group interviewed eight people involved in the gold sector in Bunia, three of whom were also active in Butembo. They informed the Group that they still had business relations with the directors of the sanctioned entities United Commercial Impex (UCI; CDe.009) and Machanga Ltd (CDe.007). In Kampala, the Group also met with a civil society actor and three Congolese nationals who served as intermediaries between Kampala-based gold traders and those in Butembo and Bunia. The three intermediaries confirmed that the Director of Machanga Ltd was still a regular buyer of gold from the Democratic Republic of the Congo. The same sources also mentioned Sameer Bhimji (see S/2015/19, para. 207), stating that he competed over the same Congolese gold suppliers with Machanga Ltd. The Group is aware that, in December 2016, the Uganda Revenue Authority confiscated undocumented gold in Bhimji's house.

121. While the Group was not able to meet with the Director of Machanga Ltd in Kampala, it met on three occasions with the directors of UCI. The latter stated that following their listing they had not been involved in the gold sector. In addition, they expressed their wish to be delisted in order to resume operations and comply with international standards.

122. The major development in Kampala's gold market was the resurgence of legal exports from Uganda. The Group had previously documented the decline in official gold exports from Uganda after 2007, when sanctions were placed upon Machanga and UCI (see S/2014/42, paras. 182-188 and annex 71). According to online statistics from the Bank of Uganda, Uganda's official gold exports had increased from 11 kg in 2014 to 1,118 kg in 2015, and to 8,751 kg, the highest ever recorded, in 2016. From January to April 2017, Uganda officially exported 2,938 kg, which puts it on a pace to beat the 2016 record. Additional data from 2016, published by the Uganda Bureau of Statistics, confirmed previous findings regarding the country's limited own gold production, facts also confirmed in the Government of Uganda's letter to the Group in June 2017 (see annex 45). According to the

Government of Uganda, the discrepancy between export and production values results from undocumented domestic gold production. However, the Group believes that Uganda remained a transit hub for gold produced in other countries, such as the Democratic Republic of the Congo.

123. The revival of official gold exports from Uganda coincides with the 2016 opening of the country's first gold refinery, African Gold Refinery (AGR) owned by Alain Goetz (see S/2009/603, paras. 130 and 154-157). AGR senior management told the Group that they were expecting to export more than 10 tons of gold in 2017. This suggests that gold exports from Uganda had always been largely underreported. When the Government of Uganda provided statistics to the Group in 2014, official exports were less than 15 kg (see S/2015/19, para. 199), in line with the aforementioned Bureau of Statistics data. For the same year, the United Nations Commodity Trade Statistics Database (UN Comtrade) published exports of one ton. The Group therefore believes that AGR could contribute to a cleaner gold trade in Uganda.

124. During a meeting in May and subsequently in a letter in June 2017, AGR told the Group that the company to date "does not have the capacity to map the actual physical flow of each and every gram of gold". AGR senior management told the Group that there was a need for additional, internationally agreed procedures to fulfil this requirement. However, while the Group is not aware of any illegal activity of AGR to date, it believes that it is highly possible that gold smuggled from the Democratic Republic of the Congo could occasionally permeate the company's supply chain.

125. The Group requested a list of AGR suppliers but has not received it and takes note of the willingness of AGR to first require "proper consent" of their suppliers. This information would help to ascertain if certain suppliers were involved in fraudulent trade with smugglers from the Democratic Republic of the Congo. The Group saw a copy of an agreement signed by AGR and CEEC, in which the two parties acknowledged that gold was smuggled from the Democratic Republic of the Congo to Uganda. Furthermore, it includes a commitment to work closely in the fight against smuggling according to international and International Conference on the Great Lakes Region regulations.

126. Following several requests, the Group met with officials of the Government of Uganda in March 2017. During the meeting in Kampala, the latter did not deny the smuggling of gold from the Democratic Republic of the Congo to Uganda but attributed it mainly to the porosity of the borders. The Ugandan officials committed to sharing, with the Group, the results of their investigation into Kampala-based gold traders initiated in 2014 (see S/2015/19, para. 203).

United Arab Emirates

127. Dubai is the main recipient of artisanally sourced unwrought gold from the Democratic Republic of the Congo. The Group was able to confirm that Congolese gold arriving there is mainly exported fraudulently; this is consistent with the Group's previous findings (see S/2005/30, para. 119; S/2007/423, paras. 124-126; S/2008/773, para. 93; S/2015/19, para. 210; and S/2016/466, para. 166).

128. Several exporters and intermediaries implicated in the gold trade in the Democratic Republic of the Congo and Uganda told the Group that they regularly travelled with known smugglers to Dubai in order to sell gold. When the Group met with the Government of the United Arab Emirates in April 2017, the latter expressed willingness to assist the Group's investigations on the above-mentioned smugglers in Dubai. Consequently, the Group provided the Government of the United Arab Emirates with the names of smugglers it had collected, for instance that of

Ms. Chibalonza (see paras. 108-109), and believes that they should be further investigated.

129. In another case, the Group had previously given the name of Nilesh Subash Lodhia to the Government of the United Arab Emirates (see S/2009/603, para. 136).[10] Mr. Lodhia, the owner and sole employee of Rafiki General Trading, is also a former employee of UCI, a sanctioned entity. The Group documented that Rafiki General Trading was the sole buyer of gold from the Butembo-based *comptoir* Glorym during the period under review. The Group sought to meet Mr. Lodhia to inquire about the link between his gold trade and the stated activities of Rafiki General Trading (see annex 46). When the Group asked to talk to Mr. Lodhia, the Government of the United Arab Emirates informed the Group that it had already shut down Rafiki General Trading.

130. The Group welcomes the initiatives taken by the Government of the United Arab Emirates to meet the recommendation set out in its last final report (see S/2016/466, para. 241; and annex 47 to the present report). The Group believes, however, that they can only yield lasting results if fully implemented.

131. Nonetheless, the easy access for gold smugglers in Dubai's market is the consequence of the loopholes in the United Arab Emirates control system and legislation for hand-carry gold as documented previously (see S/2015/19, para. 210; and S/2016/466, para. 166). It is the Group's understanding that United Arab Emirates law does not consider smuggling activity to be a crime. Therefore, the customs authorities, most of the time, apply only trafficking fines. In April 2017, the Group visited the gold souk of Dubai's Deira district and found that the patterns described in previous reports still exist.

132. Based on its interviews with senior officials in the Democratic Republic of the Congo, at the International Conference on the Great Lakes Region secretariat, and in the United Arab Emirates and Uganda during the period under review, the Group understands that the efforts of these stakeholders could be improved to enhance the fight against gold smuggling. As previously reported (see S/2016/466, annex 53), regular collaboration between the aforementioned parties could significantly reduce such smuggling. The Group believes that the United Arab Emirates increased awareness of International Conference on the Great Lakes Region member State regulations for gold export would be a positive development. It could facilitate, among others, a system of authentication of the documents required for gold exports from those countries upon arrival in Dubai.

C. Charcoal

133. The Group's investigations showed that one of the most stable sources of income generation for FDLR remained the illegal taxation of charcoal produced and sold by local populations, as well as the sale of their own production (see S/2015/19, paras. 74-78; S/2015/797, paras. 33-34; and S/2016/466, paras. 26-27). The Group gathered consistent information that FARDC also benefited from charcoal produced in the aforementioned areas inside the Virunga National Park, levying taxes of CGF 1,700 per bag sold in Kitchanga and CGF 1,000 per bag loaded in Kabalekasha.

134. The Group observed that in one of the two supply chains investigated, centred on the areas of Bishusha and Kitchanga on the south-western margin of the Virunga National Park, charcoal production continues relatively unabated. The other supply

[10] Nilesh S. Lodhia has no family ties to Jamnadas V. Lodhia, also known as Chuni, one of the directors of UCI.

chain, however, centred on the areas of Tongo and Mulimbi, was severely disrupted by a combination of controls by the Institut congolais pour la conservation de la nature (ICCN) and FARDC military manoeuvres against FDLR.

135. It is of note that charcoal remained a key source of subsistence for local populations. However, the Group's investigations confirmed that there was no international market for charcoal produced in the Virunga National Park.

Charcoal production and taxation by FDLR in Rutshuru territory

136. The Group investigated a cluster of three camps in the south-west of the Virunga National Park (10 km south of Bishusha) where 1,000 families unaffiliated to FDLR produced charcoal. Each family produced on average a kiln a week (1,000 kilns for the three sites), on which they have to pay taxes of CGF 6,500 per kiln to FDLR (see annex 48).[11] Further to this taxation, the above-mentioned sources told the Group that FDLR also produced some 450 bags of charcoal per week for direct sale.

137. In a second case, around Bishusha and Bwiza, the charcoal produced by some 500 families unaffiliated to FDLR amounted to 500 kilns per week: local producers had to pay a tax of CGF 4,000 per kiln of charcoal produced and an in-kind tax corresponding to one day of work to FDLR. Charcoal produced in these areas transited through the village of Kahe, where many traders from Kitchanga purchased it. According to some of them and Kahe residents, some 800 to 1,000 bags of charcoal used to transit through Kahe every day.

138. The Group notes that, while FDLR taxation occurs at the production level, FARDC elements also generate revenues by levying taxes on charcoal sold in Kitchanga and Kabalekasha.

139. *Ceteris paribus*, FDLR could generate up to CGF 8.5 million ($6,000) each week from illegal taxes on the production and CGF 12-15 million ($8,500-$10,700) from taxes on the sales of charcoal produced in all the aforementioned areas.

140. On the same assumptions, FARDC could in turn levy CGF 18.6-23 million ($13,200-$16,400) from the taxation of charcoal sold in Kitchanga and CGF 13-16 million ($9,300-$11,400) in Kabalekasha.

Drop of charcoal production and taxation in Tongo area

141. Around Tongo and Mulimbi, the Group observed a meltdown of charcoal production in FDLR-controlled areas from about 1,000 kilns to almost nil by early 2017. According to customary authorities in Tongo and Mulimbi as well as charcoal traders interviewed in Mulimbi, this sharp drop was due to the combined effect of FARDC military manoeuvres against FDLR and to ICCN establishing fixed checkpoints in Tongo and Kalengera to stop the transport of charcoal from the Virunga National Park.

142. The above-mentioned sources reported that, by the end of 2016, the FDLR officers responsible for charcoal production, taxation and sales in the area started to be concerned about the possibility of locals being informants for FARDC and limited the access to the Virunga National Park, including for charcoal-making purposes. As a consequence, most families resorted to producing legal charcoal

[11] Each kiln of charcoal, locally called *four*, burns on average five cubic feet of timber (equivalent to three adult trees), which yields on average 1.1 cubic metres of charcoal (equivalent to 8-10 bags) after a week of pyrolysis.

from eucalyptus trees outside the Park and beyond FDLR control.[12] Conversely, FDLR around Tongo began to compensate the loss in charcoal revenue by imposing in-kind taxes on other goods as well as protection rackets.

IV. Arms

143. The Group investigated three potential cases of violations of the arms embargo, including one heavy weapon recovered from FDLR; an incursion of FDN into the Democratic Republic of the Congo; as well as a network of arms traffickers operating across the Ruzizi River between Burundi and the Democratic Republic of the Congo. The Group notes that arms transfers in violation of the embargo occurred both domestically and across borders. In addition, the Group reports on efforts to trace arms and ammunition recovered from armed groups and the related lack of cooperation on the side of potential countries of origin and end users.

A. Violations of the arms embargo

144. In line with its mandate, the Group investigated a missile recovered from FDLR. The Group also investigated an incursion of the Burundian army into Congolese territory and a network of illegal arms trade in Uvira territory, South Kivu Province.

SAM-16 recovered from FDLR

145. In August 2016, FARDC recovered a missile system referred to as a man-portable air defence system from FDLR. The model in question, a SAM-16 Gimlet or 9K310 Igla-1, was found in a former FDLR headquarters near Mibirubiru, 10 km west of the town of Nyanzale in North Kivu Province (see annex 49).

146. Some components of the missile system, including the battery, the grip stock as well as the power supply system, were missing. It was produced in 1987. The Group saw that the materiel had characteristics similar to missiles produced in the former Union of Socialist Soviet Republics (USSR). The Group believes that such materiel in the hands of an armed group represents a significant threat to the population and, if properly fitted, to aircraft as well.

147. The Group had previously reported that FDLR possessed such materiel and that, in 1998, the Armée pour la libération du Rwanda, the de facto FDLR predecessor, captured it from the Rassemblement congolais pour la démocratie-Goma at Mount Goma during a clash (see S/2010/596, para. 94). Three FARDC sources and former senior FDLR leaders independently confirmed this to the Group. The Group began to trace the materiel in order to determine and confirm the producing countries as well as the original end users of the weapon in question.

Kiliba Ondes attack

148. On 21 December 2016, FDN entered Congolese territory near Kiliba Ondes, a village north of the Uvira-Bujumbura road. The Group is aware that FDN regularly crosses the border in order to carry out joint patrols with FARDC. In this case, the Group was not aware of any notification to the Security Council Committee established pursuant to resolution 1533 (2004) by the Government of Burundi about

[12] Charcoal produced from eucalyptus is much less efficient than from the tree species found inside the Virunga National Park, and thus sold at a lower price (CFG 5,000-6,000 per bag at wholesale trading hubs, where charcoal from the Park would be sold at CFG 13,000 per bag). For this reason eucalyptus charcoal is known locally as *makala biwerewere* ("idiots' charcoal").

the entry of FDN elements into Congolese territory with arms. The Group can confirm that this event led to fighting between FARDC and FDN around Kiliba Ondes.

149. Five eyewitnesses told the Group that they saw FDN soldiers entering the Democratic Republic of the Congo near the Vugizo border post around 7 a.m. Shortly after progressing towards Kiliba sector 6, FDN opened fire. While some witnesses reported that FDN might have intended to attack FNL-Nzabampema combatants, the nearby FARDC battalion retaliated as they experienced FDN fire. The belligerents came into direct contact near the sugar factory in Kiliba Ondes. Officers of FARDC, the Congolese national police and the Direction générale des migrations confirmed the event with the Group. Witnesses continued to hear gunfire exchange until 3 p.m. (see annex 50).

150. During the incident, one farmer and one FARDC soldier were wounded. While accounts of the number of victims are diverse, close to 10 witnesses agree that a minimum of three FDN soldiers were killed and subsequently brought to the morgue of the general hospital in Uvira.

Arms traffic across the Ruzizi River

151. The Ruzizi Plain and Lake Tanganyika continue to be hotbeds of armed mobilization and arms trading. The Group found at least three Burundian armed groups operating in these areas (FOREBU, RED-Tabara and FNL-Nzabampema; see paras. 45-50), embedded in complex relationships with local armed groups such as the Mai Mai and local defence groups.

152. The Group investigated one network of arms traffickers involving members of the Burundian army, various middlemen and Congolese armed groups (see annex 51). One of the key actors of this network was a Burundian named Manassé Hakizimana who was killed in March 2017. Eyewitnesses told the Group that on a monthly basis Manassé Hakizimana would go to the Ruzizi River that separates the two countries to take delivery of arms and ammunition shipments. On the Burundian side, FDN elements would arrive at night to deliver the arms. The Group requested further details from the Government of Burundi and is awaiting a reply.

153. Sources told the Group that an individual known as "Jadot", a former member of Mai Mai Kayamba, would accompany the FDN elements. Two sources involved in the transportation of the materiel, and several civil society sources told the Group that, once an arms shipment was ready at the shores, local fishermen would transport it across the river. Usually, a shipment would contain small quantities to circumvent control, as in three instances brought to the attention of the Group. While the Group was not able to document the transfers in situ, witnesses reported one transfer of 10 guns and six boxes of ammunition in Katogota, one transfer of 15 AK-47-pattern rifles and a bag of ammunition in Luberizi and one transfer of two light machine guns, two grenade launchers, two pistols, five AK-47-pattern rifles and several boxes of ammunition in Sange.

154. Upon arrival in the Democratic Republic of the Congo, designated motorbike drivers would pick up the shipments to deliver them. This was scheduled according to timings and locations previously agreed between involved officers, middlemen, fishermen, transporters and armed groups. In many cases, the delivery route passed near Katogota, next to the Mobutu Bridge. Among those that received supplies through this network were Mai Mai Mwenyemali, Mai Mai Bigaya, Mai Mai Nyerere and Mai Mai Karakara. Sources told the Group that the rationale behind these transfers was to counter security threats to the Government of Burundi posed by groups such as RED-Tabara and FOREBU, by way of supporting Congolese armed groups that the Burundians anticipated could eventually serve as proxies.

B. Tracing efforts

155. During the period under review, the Group's investigations on arms and ammunition recovered from armed groups formerly and currently operating on Congolese territory were slowed by certain factors. This was principally the result of the lack of responses to the Group's queries regarding certain countries of origin and certain end users, as well as the lack of cooperation on the side of the Government of the Democratic Republic of the Congo.

156. With a view to tracing the origin of the recovered arms and ammunition as previously reported (see S/2016/1102, para. 113), the Group had requested further information from potential countries of origin. The arms and ammunition had characteristics similar to those produced in Bulgaria, the Czech Republic (former Czechoslovakia), the Democratic People's Republic of Korea, Greece, Israel, China, Portugal, Romania, the Russian Federation (former USSR), the Sudan and Uganda.[13]

157. The Group appreciates the responses received from Bulgaria, Israel, the Russian Federation and Uganda. Israel and Uganda requested further details in order to confirm the initial end users, for example serial numbers on the original packages, in order to assist the Group in its tracing efforts. The Group notes that ammunition recovered from armed groups was rarely found in the original packages. The Government of Bulgaria also informed the Group that records on arms sales were kept only for a period of 10 years.

158. FARDC officers confirmed to the Group that most of the arms and ammunition documented might have been transferred from national stocks to the respective armed groups they were found with. The Group received consistent testimony that diversions from national stocks continued to be the main source of supply for armed groups in the Democratic Republic of the Congo, which is in line with its previous findings (see S/2009/603, paras. 23-29 and 40-43; S/2015/797, para. 46; S/2016/466, para. 229; and S/2016/1102, para. 113).

159. The Group has observed that across the Democratic Republic of the Congo, local variation notwithstanding, AK-47-pattern rifles could usually be purchased for as little as $30-$40 and light machine guns for around $200-$250. Several sources confirm these observations, including that ammunition could also be purchased from as little as CGF 200 per round (see para. 21).

160. The Group collected bullet casings spent during Mai Mai Kilalo's attack on MONUSCO and the Congolese national police in Butembo in December 2016 and analysed them. According to its investigations and senior FARDC officers, the bullets used by the Mai Mai combatants during the attack have head stamps similar to those found in national stocks (see annex 52).

161. In January 2017, during a mission to Ituri, the Group documented ammunition with the head stamp "LI-02", manufactured by the Ugandan Luwero Industries Ltd in 2002. The ammunition in question had been recovered from the Forces de résistance patriotiques en Ituri (FRPI) (see S/2012/348, paras. 51-52; and annex 53 to the present report). The Group asked the Government of Uganda about potential end users. In its response, the Government of Uganda clarified that the ammunition is for local use only. While the Group continues to investigate how FRPI obtained the ammunition, it notes the high likelihood of this representing a violation of the arms embargo.

[13] The Group has often relied on information provided by Member States that are either countries of origin or end users as well as the markings on the weapons and head stamps of ammunition in its attempts to trace them.

162. Several countries, including the Democratic Republic of the Congo, have not responded to the Group's requests for assistance in the tracing of arms and ammunition during the period of reporting. In the course of two meetings in October 2016 and February 2017, the Head of the National Commission for the Control of Small Arms and Light Weapons committed to providing updated statistics on the efforts of the Government of the Democratic Republic of the Congo to mark weapons and manage the stockpile of its security forces. The Group has not received the information at the time of writing.

163. In October 2016, the Group also visited the Congolese Ministry of Foreign Affairs and International Cooperation. During the meeting, a senior official of the Ministry committed to setting up a committee with focal points to respond to the Group's requests for information. The Group has not yet received an update regarding their nomination.

V. Violations of international humanitarian law

164. During the period of reporting, the Group observed that violations of international humanitarian law and human rights continued to be at significant levels in the Democratic Republic of the Congo. The Group focused on violations such as the murder of two of its members on 12 March 2017 in Kasai Central Province, cases of child rape in South Kivu Province and an attack on MONUSCO in North Kivu Province.

A. Murder of two members of the Group of Experts

165. On 12 March 2017, the Group's Coordinator and armed groups expert, Michael Sharp, and the humanitarian expert, Zaida Catalán, were assassinated in a premeditated setup under hitherto unclear circumstances. The Group wishes to stress that killing members of the Group of Experts represents an attack on the Security Council, which is a serious violation of international humanitarian law.

Escalation of violence in greater Kasai

166. The previously stable greater Kasai region in the south-central Democratic Republic of the Congo has seen an escalation of violence and alarming levels of violations of international humanitarian law and human rights since August 2016, when FARDC troops killed Jean-Pierre Mpandi Prince, customary chief of the Kamuina Nsapu clan and erstwhile leader of an homonymous insurgency. Kamuina Nsapu's violent reaction to Mpandi's killing, including attacks against State agents and symbols, prompted FARDC and the national police to launch offensives against the insurgent movement, often using disproportionate violence. Following that, dozens of mass graves and video footage showing deliberate killings, including of unarmed Kamuina Nsapu elements, have been documented.

167. Throughout 2017, this conflict moved away from an insurrection of a specific community towards a larger upheaval spreading the "Kamuina Nsapu" label far beyond its initial confines. Sources told the Group that, while many factions were hostile to the Government, pro-Government militias have also emerged operating under the Kamuina Nsapu label. At the time of writing, the ensuing violence has engulfed vast parts of Kasai, Kasai Central, Kasai Oriental and Haut-Lomami provinces.

Assassination of Michael Sharp and Zaida Catalán

168. Considering the level of human rights violations and potentially sanctionable offences, the Group began its investigations on the greater Kasai region. Two members of the Group, Michael Sharp and Zaida Catalán, visited Kananga in January 2017 to begin field investigations. Some of their preliminary results are reflected in the preceding paragraphs. Early in March, they returned to Kananga in order to finalize the ongoing investigations.

169. The Group retrieved an audiotape dated 11 March 2017, in which the two experts had a discussion with representatives of the Kamuina Nsapu family. Parts of the discussion concerned a field visit scheduled for the following day. The tape confirmed that the investigation aimed at better understanding Kamuina Nsapu's structure, its support networks and the potential recruitment and use of children.

170. On 12 March 2017, they embarked on a field visit from Kananga towards the locality of Bunkonde. The Group understands that, around 4 p.m. local time, Michael Sharp and Zaida Catalán were executed by a heteroclite group of individuals not yet identified at the time of writing.

Ongoing investigations into the murder

171. The Group conducted preliminary analyses of telephone records and a video of the murder, as well as interviews. The preliminary evidence does not yet allow the Group to attribute responsibility for the murder. However, the available evidence does not preclude the involvement of different actors such as (pro- or anti-Government) Kamuina Nsapu factions, other armed groups and members of State security services.

172. The Group is aware that the Congolese military justice, the Polismyndigheten (Swedish Police Authority) and the Federal Bureau of Investigation of the United States are conducting criminal investigations into the murder of the two experts. The Group appreciates the appointment of a Board of Inquiry by the United Nations Secretary-General. It is the Group's understanding that this Board can gather information that could contribute to the ongoing criminal investigations.

173. The Group notes that the military justice arrested certain suspects, two of whom are standing trial at the time of writing. However, the Group notes that other key suspects of the murder have not yet been arrested despite available evidence. In May 2017, the Group spoke to a senior police officer who denounced the lack of cooperation on the side of the Government security services involved in the investigations. In addition, the repeated diffusion by the Government of the Democratic Republic of the Congo of a tape featuring the murder of the two experts could obstruct ongoing criminal investigations.

B. Child rape in the Kavumu area

174. Between 2013 and 2016, the Panzi Hospital in Bukavu treated 42 cases of aggravated rape, leading to traumatic fistulae, of children and girls aged 1-16 in and around Kavumu, South Kivu Province. The Group found that a militia called Jeshi La Yesu ("Army of Jesus") carried out the rapes. Led by Frédéric Batumike Rugimbanja, at that time a member of the South Kivu provincial assembly, this militia is made up of former Raia Mutomboki and Mai Mai elements, national police elements and former workers from the Bishibirhu plantation.

175. Two militiamen and other sources told the Group that Jeshi La Yesu perpetrated child rapes as part of a ritual believed to render their combatants

impervious to bullets. The militiamen also confirmed their group's rituals were led by a person called "Kabuchungu" or "Kabotchonga". In June 2016, this person, together with Batumike and several members of the militia, were arrested on charges including rape of children and young girls.

176. The above-mentioned sources told the Group that the militia has engaged in targeted killings of critics since at least 2012.[14] This is consistent with testimonies collected from civilians who told the Group that they received death threats from Jeshi La Yesu members.

C. Attack on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo in Butembo

177. On the basis of the testimony of former combatants — including some involved in the attack — the Group established that Mai Mai Kilalo attacked Butembo on 19 December 2016. Under the operational command of "Colonel" Kakule Kitelemire and his deputy known as "Kanyere", around 80 elements were involved in the operation. They arrived in Butembo around 5 a.m. and targeted MONUSCO premises, the national police office next to them and Kakwangura prison in Butembo. Ex-combatants told the Group that the purpose of the attack was to free some of their elements. Another aim was to liberate Baraka Lolwako Mumbere, the former leader of Mai Mai Corps du Christ, whom they believed to be detained at Butembo prison as well. However, the Group documented that the attack focused mainly on MONUSCO and the Congolese national police.

178. While the attack demonstrated firepower beyond that of most armed groups operating in the eastern Democratic Republic of the Congo, combatants told the Group that only a minority of them had firearms. Based on testimony from South African peacekeepers and national police officers involved in the half-hour fighting and the Group's investigation, Mai Mai Kilalo fired over 1,000 rounds from AK-47-pattern rifles and at least one light machine gun. The Group's initial analysis of the bullet casings left behind does not suggest outside supply; all of the ammunition codes can also be found in national police or FARDC stocks (see annex 52). An attacker killed during the fighting was wearing a scarf with "UPLC", Mai Mai Kilalo's acronym, written on it.

179. One South African peacekeeper, one FARDC soldier, one policeman, one civilian and nine Mai Mai Kilalo combatants were killed during the fighting. The Group notes that attacks on civilians and peacekeepers are violations of international humanitarian law and sanctionable acts.

VI. Recommendations

180. The Group makes the recommendations set out below.

Government of the Democratic Republic of the Congo

181. The Group recommends that the Government of the Democratic Republic of the Congo:

(a) Revise the implementation of its current disarmament, demobilization and reintegration programme with a focus on the aspect of reintegration, in

[14] Including Jean Bosco Kakonyi and a former member of the militia in 2013, as well as human rights activist Evariste Kasali Mbogo (who reported on Jeshi La Yesu in 25 February 2016 and was killed two months later) and the grouping chief of Bugorhe/Kavumu.

particular professional training and job creation, in order to avoid the re-mobilization of ex-combatants (see paras. 68-70);

(b) Commence investigations on and, as appropriate, prosecute individuals engaged in illegal gold exploitation and trade, in particular Major General Gabriel Amisi Kumba, as well as those involved in the disappearance of International Conference on the Great Lakes Region certificates issued by the Democratic Republic of the Congo (see paras. 102-105 and 113-117);

(c) Put in place a national legal framework on sanctions implementation, including specific provisions for banks and financial institutions operating in the Democratic Republic of the Congo to freeze the assets of designated individuals and entities (see para. 8);

(d) Develop means to overcome identified loopholes in the implementation of due diligence, in particular through a zero-tolerance policy towards corruption as well as empowering field staff of the Service d'assistance et d'encadrement du small-scale mining (SAESSCAM) (see paras. 77-98).

Security Council

182. The Group recommends that the Security Council:

(a) Mandate the Secretary-General to establish an independent international investigation into the murder of Michael Sharp and Zaida Catalán to gather evidence to identify the perpetrators, their support networks, and motives (see paras. 165-173);

(b) Revise Security Council resolution 2360 (2017) extending the mandate of the Committee established pursuant to resolution 1533 (2004) with a view to:

(i) Amending the provisions of paragraph 7 (g) of Security Council resolution 2293 (2016) to read "supporting individuals or entities, including armed groups or criminal networks associated with illicit financial flows and money-laundering, involved ...", in order to further qualify the notion of "criminal networks" already contained therein (see para. 73);

(ii) Mandating the Group of Experts to work with other stakeholders, such as the Organization for Economic Cooperation and Development and the International Air Transport Association, to produce recommendations for guidelines to streamline and enhance the control of unwrought gold transported in carry-on luggage (see paras. 110-112);

(iii) Extending the mandate of the Group of Experts until 30 December 2018 (see para. 10).

Annex 1: Organizations and entities the Group officially met with during its mandate

GREAT LAKES REGION

Democratic Republic of the Congo

Government

- Agence nationale de renseignement (ANR)
- Auditorat militaire
- Centre d'évaluation, d'expertise et de certification (CEEC)
- Direction générale des migrations (DGM)
- Forces armées de la République démocratique du Congo (FARDC)
- Ministère des mines
- Commission nationale pour le contrôle des armes légères et de petit calibre (CNC-ALPC)
- Ministry of Foreign Affairs
- Unité d'Exécution du Programme national de DDR (UEPN-DDR)

Private sector

- Metachem
- ITRI Ltd/PACT
- Cooperative Minière pour la Promotion des Comunautés Congolaises (COMIPCC)
- Cooperative des exploitaints miniers Karamo (CEMIKA)
- Association des Negociants de Minerais du Nord Kivu (ANEMNKI)
- Cooperative des Creuseurs Artisanaux de Bisie (COCABI)
- *Eglise de la Pentecôte pour l'Evangelisation du Monde* (EPEM)
- RAWBANK
- PRO CREDIT Bank
- AFRILAND First Bank
- Trust Merchant Bank (TMB)
- Association Congolaise des Banques (ACB)
- Ecobank DRC
- Banque Commerciale du Congo (BCDC)
- First International Bank DRC
- Standard Bank DRC

Organizations

- Bundesanstalt für Geowissenschaften und Rohstoffe (BGR)
- Caritas
- EPEM Church

Banque Centrale du Congo - BCC

Embassy of France

Embassy of Sweden

Embassy of Italy

Embassy of the United States

European Union (EU) Delegation in Kinshasa

Human Rights Watch (HRW)

Office for the Coordination of Humanitarian Affairs (OCHA)

United Nations Joint Human Rights Office (UNJHRO)

United Nations Mine Action Service (UNMAS)

United Nations Organization Stabilization Mission in the DRC (MONUSCO)

Development Initiative (DI)

Mines Actions Group (MAG)

Norwegian People Aid (NPA)

International Organization for Migration (IOM)

Rwanda

Government

Ministry of Foreign Affairs and Cooperation

Ministry of Disaster Management and Refugees

Rwanda Defence Force

Uganda

Government

Ministry of Foreign Affairs

Ministry of Mines

Uganda People's Defence Force

Uganda Revenue Authority

Private sector

African Gold Refinery

Organizations

Embassy of the United Kingdom

Embassy of the USA

United Nations Organization Stabilization Mission in the DRC (MONUSCO)

OUTSIDE THE GREAT LAKES REGION

Belgium

Government

Ministry of Foreign Affairs

Organizations

European External Action Service (EEAS)

France

Government

Ministry of Foreign Affairs

Organizations

Organization for Economic Cooperation and Development (OECD)

United Arab Emirates

Government

Ministry of Foreign Affairs

Federal Customs Authority

Organizations

Dubai Multi Commodities Center (DMCC)

United States of America

Organizations

United Nations Department of Safety and Security

United Nations Department of Peacekeeping Operations

INTERPOL

Annex 2: Group of Experts' official communications

During the mandate, the Group addressed 77 official communications to Member States, international organizations and entities (including multiple communications to the same addressees).

The Group received responses from the Governments of Belgium, Bulgaria, Ethiopia, Israel, the People's Republic of China, Romania, Rwanda, the Russian Federation, the United Arab Emirates and the United Kingdom of Great Britain and Northern Ireland

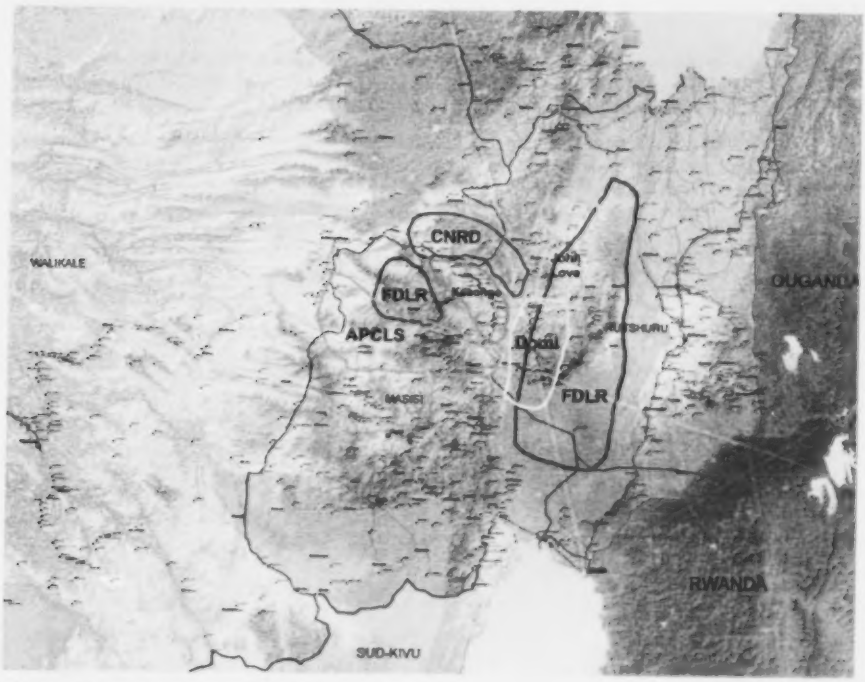
The Group did not receive responses from the Governments of Burundi, Canada, Czech Republic, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Germany, Greece, Kenya, the Netherlands, Portugal, Sudan, Turkey, Uganda and the United Republic of Tanzania.

The Group received responses from the following international organizations and entities: C.M.M. SARL, Ethiopian Airlines, the International Air Transport Association (IATA), ITRI Ltd, Metachem, Mission Aviation Fellowship (MAF), ProCredit Bank, Signal Mining and Western Union.

The Group did not receive responses from the following international organizations and entities: the Central Bank of the Democratic Republic of the Congo (BCC), the African Gold Refinery (AGR), PayPal Holdings, Inc. and Exodus Mining.

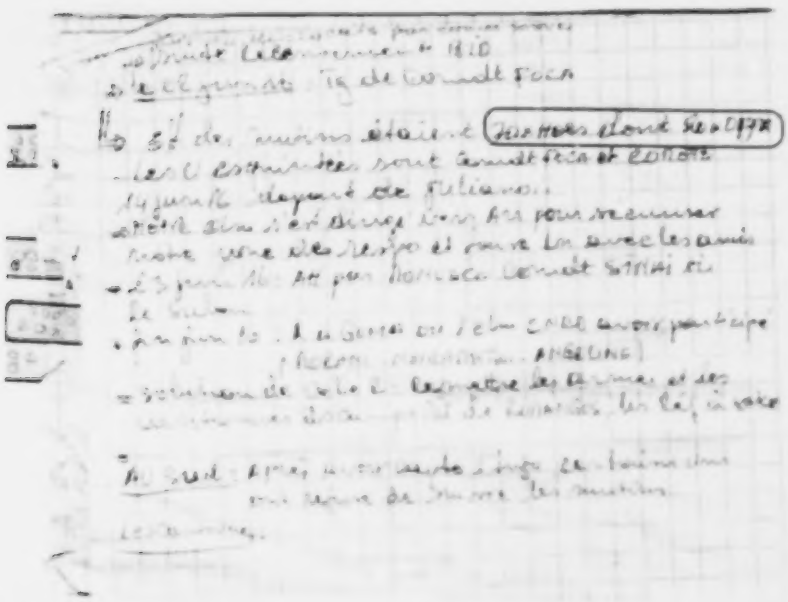
Annex 3: Major armed groups in Rutshuru and Masisi

The below map indicates zones of influence (not necessarily of full, constant control) of the six strongest armed groups currently active in northern Masisi and western Rutshuru territories: FDLR, CNRD, APCLS, Nyatura-Kasongo, Nyatura-John Love and Nyatura-Domi. It reflects the situation as of June 2017.



(Map by the United Nations, edited by the Group)

Annex 4: Statistics on defections to CNRD from the former FDLR Comete subsector

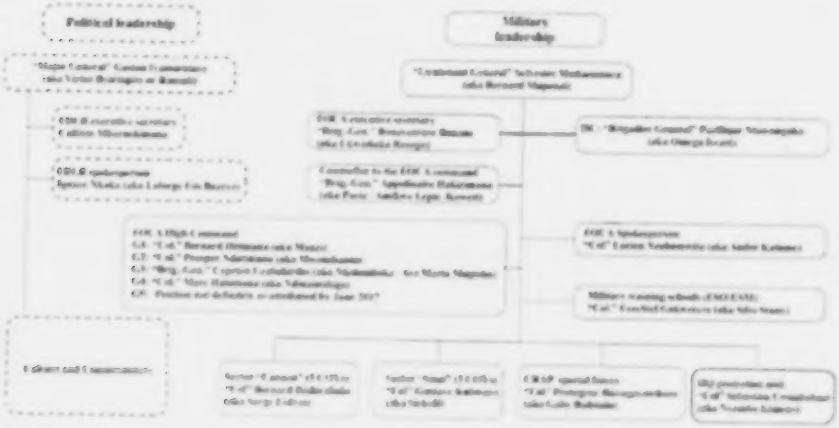


(Document recovered by MONUSCO in January 2017, highlights by the Group)

Annex 5: FDLR leadership and structure as of June 2017

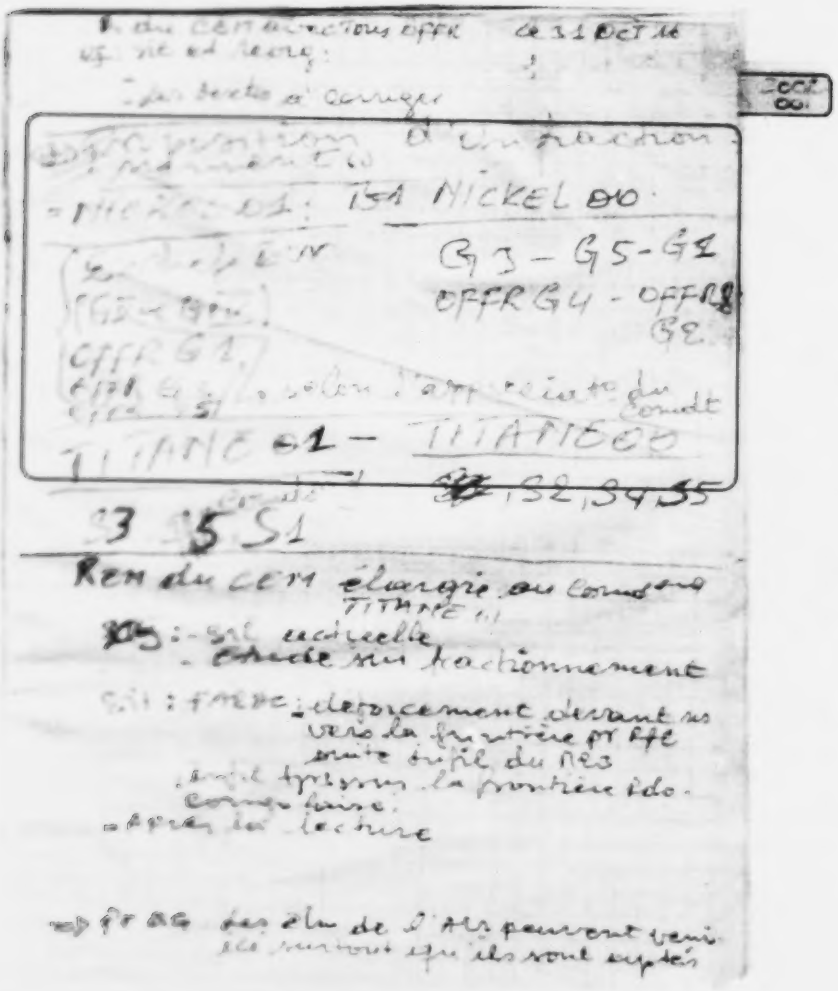
"Major General" Gaston Iyamuremye (also kown as Victor Byiringiro or Rumuli, CDi.003) remains the acting president of the movement and Callixte Mbarushimana (CDi.010) is the FDLR's executive secretary. "Lieutenant General" Sylvestre Mudacumura (also kown as Bernard Mupenzi, CDi.012) is the overall commander of FOCA, seconded by "Brigadier General" Pacifique Ntawunguka (also kown as Omega Israel, CDi.024). All of them are sanctioned individuals.

Three main troop blocs are FDLR's special forces *Commando Recherches et Actions en Profondeur* (CRAP) led by "Colonel" Protogène Ruvugayimikore (also known as Gaby Ruhinda) and the two operational sectors, Canaan led by "Colonel" Bernard Rishirabake (also known as Serge), in Kiringa, and Sinai led by "Colonel" Gustave Kubwayo (also known as Sirkoff) in Kazaroho. Mudacumura himself, together with "Colonel" Lucien Nzabamwita (also known as André Kalume) was reported at *Monument* near Kiringa early 2017, next to Rishirabake's position. Byiringiro is in Kalima and Ntawunguka near Mutoto. "Colonel" Ezechiel Gakwerere (also known as Sibo Stany) heads the military training schools near Katsiru.



(Table based on interviews conducted by the Group and documentary evidence)

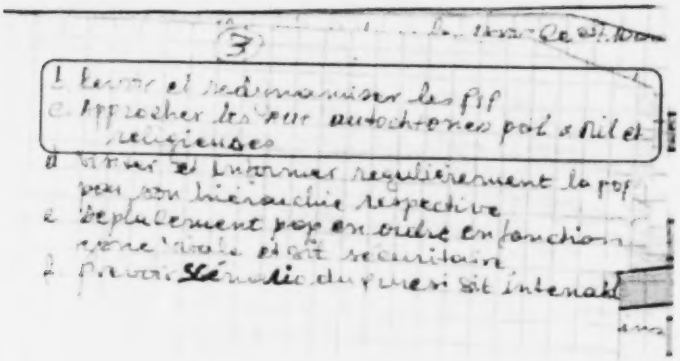
Annex 6: Division of the FDCA headquarters in two separate locations



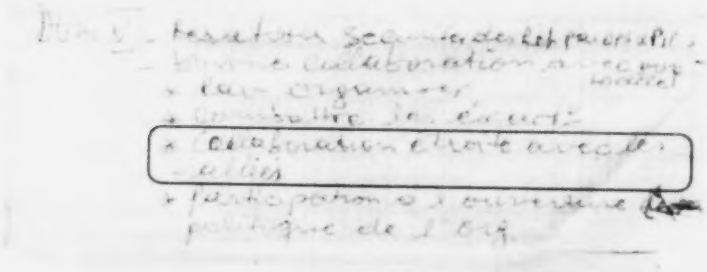
(Document recovered by MONUSCO in January 2017, highlights by the Group)

Annex 7: FDLR alliances

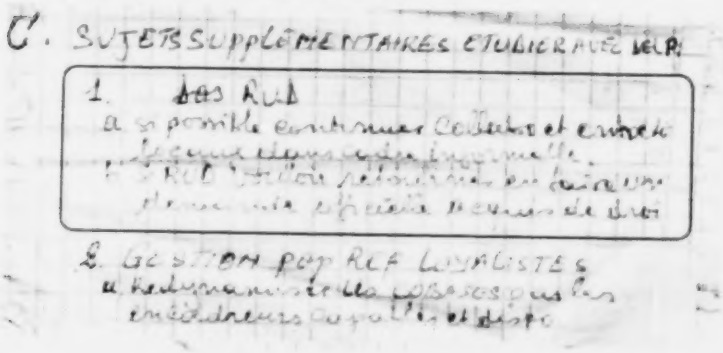
a) Collaboration with local authorities and civilian populations



b) Close collaboration with 'allies'



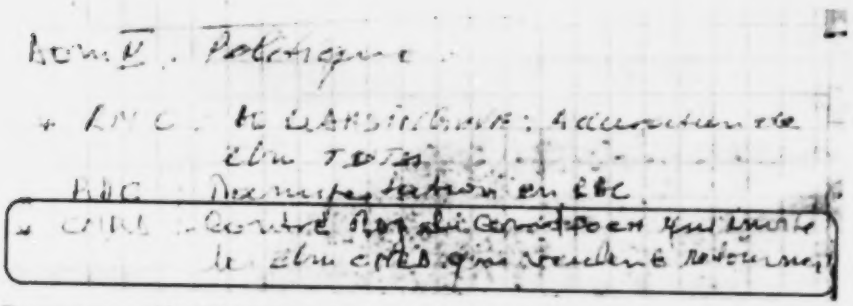
c) Reviving collaboration with RUD-*Urunana*



(Documents recovered by MONUSCO in January 2017, highlights by the Group)

Annex 8: Invitation to CNRD elements to defect back to FDLR

In September 2016, the FDLR leadership issued an order to its units to welcome back CNRD elements who had previously defected the FDLR.



(Document recovered by MONUSCO in January 2017, highlights by the Group)

Annex 9: CMC and APRDC publications

a) CMC communiqué dated 7 February 2017

REPUBLIQUE DEMOCRATIQUE DU CONGO

Collectif des Mouvements pour le Changement

CMC

E-mail: cmcrdcongo@gmail.com

DECLARATION POLITIQUE No. 0001/CN-CMC/02.2017

Mesdames et Messieurs, Chers Compatriotes,

La République Démocratique du Congo (RDC) est en crise constitutionnelle de son histoire.

Le mandat du Président de la République prévu par la constitution a pris fin la nuit du 19 décembre 2016. Sa dérobade de cette date le Peuple Congolais ne reconnait plus Joseph Kabila comme Président de la République. En dépit de l'expiration de son mandat, le "Raïs" a royalement confisqué le pouvoir et l'exerce actuellement par défi.

Ce maintien au pouvoir par force est le résultat des scenarios plusieurs fois montés, pour tenter de légitimer vers même légaliser son pouvoir finissant. Les décisions de la cour constitutionnelle et les négociations contestées qui ont abouti aux accords du 18 octobre suivis de ceux du 31 décembre 2016 sous les auspices respectifs d'Anso Kodjo et de l'Eglise Catholique du Congo (la CENCO), sont une illustration.

L'acte posé par Kabila et sa cacolle de classe politique corrompue et conflictuelle de pouvoir est inacceptable. C'est un coup d'Etat monté contre lui-même, contre la Constitution et contre le Peuple Congolais. Le Président s'est rebellé contre son Peuple. Bref, Kabila déclaré la guerre.

Remarqué, l'ennemi du Peuple Congolais est aujourd'hui identifié. Il s'appelle Joseph Kabila Kabange. Il dirige actuellement le pays en violation de la constitution et les très qui régissent la RD Congo. Mots, trop c'est trop. Le peuple Congolais reconnait, a juré de faire respecter la constitution. L'article 64 lui donne le droit.

Vous remarquerez ainsi qu'aux dates du 19 et 20 décembre 2016, Kinshasa et toutes les provinces que compose la RD Congo ont vécu le théâtre des affrontements. Résultat, une conjoncture des morts, sans compter des blessés, des arrestations en cascades, enlèvements, etc.

C'était bel et bien le début du soulèvement populaire.

Chers Compatriotes,

Considérant cette longue liste des violations des droits humains et autres, notamment les massacres à grande échelle des populations congolaises-rwandaises dont les morts sont actuellement estimés à plus de 6 millions en 2010 selon le rapport de Mapping des experts Onusiens, sans compter d'autres exactions à ce jour.

Devant les innombrables preuves d'humiliation du peuple à travers le bradage de la souveraineté nationale, le pillage systématique de ressources naturelles, le détournement des fonds publiques, la corruption, vol et viol, le chômage chronique, la misère sans nom, bref, la condition de vie des congolais ne fait que se dégrader du jour au jour.

Ne notre Congo semblait jusqu' à être rangé à la dernière place des pays les plus pauvres du monde.

Conscient de la gravité de la situation actuelle dans le pays, de sa responsabilité devant Dieu et devant l'histoire, les sensibilités politiques et les groupes d'autochtones Congolais ont formé une coalition politico-militaire dénommée **le Collectif des Mouvements pour le Changement**, qui lève le ton et déclare ce qui suit.

1. Dénonce et rejette en bloc les décisions de la cour constitutionnelle, les accords du 18 octobre, ceux du 31 décembre et ses corollaires qui confèrent à Joseph Kabila un autre temps de se maintenir au pouvoir.

2. Persiste et signe qu'à partir du 20 décembre 2016, Mr Joseph Kabila n'est plus constitutionnellement reconnu Président de la République et que toutes les institutions de la République Democratique du Congo sont caduques.

3. Reconnait au peuple, seul souverain primaire, le droit légitime de se choisir les dirigeants des institutions établies par la constitution en cours en RD Congo

4. Assume la charge de représentant valable du peuple congolais en lutte pour la libération de la démocratie et de surcroit la constitution prise en otage

5. Prend l'engagement de combattre par tous les moyens le système militaro dictatorial, antidémocratique et anticonstitutionnel érigé à Kinshasa.

6. A le devoir de défendre les intérêts du peuple et de le rétablir dans ses droits légitimes

Chers Compatriotes,

Le Collectif de Mouvements pour le Changement lance **un appel** vibrant **aux Congolaises et Congolais** de se mobiliser tous, comme un seul homme, pour soutenir ses actions afin de barrer la route et faire echec à ces putschistes.

Aux Militaires et policiers de faire revivre du patriotisme de se joindre aux **Forces de Défense du Peuple**, seules engagées pour sécuriser la population, restaurer la paix et rétablir l'ordre constitutionnel dans la pays.

Le CMC **lance une mise en garde** à la MONUSCO, aux pays voisins limitrophes de la RDC et autres, de se prévenir de s'impliquer dans ce conflit purement constitutionnel à moins que cette implication comme à exprimer la volonté populaire

Le CMC en appelle aux chantres de la paix et la démocratie à travers le monde et aux bonnes volontés de ne pas se tenir à observer mais plutôt de venir prêter mains fortes au peuple qui défend la jeune et fragile démocratie en péril en République dite -Démocratique du Congo

Le CMC **jette toute responsabilité** sur la personne de Joseph Kabila et ses complices pour toute perte en vies humaines et pour tout dégât, matériel et autres, causés tout au long de la lutte jusqu'à la libération et que justice sera faite.

Le CMC prend en témoins le Peuple Congolais, les missions diplomatiques et Organismes établies en RD Congo ainsi que la Communauté Internationale.

Vive la République Democratique du Congo- Zaire
Vive le Peuple Congolais- Zairois
Vive le Collectif des Mouvements pour Changement.

Fait à **Walikale**, le 7 février, 2017

Pour la COORDINATION NATIONALE

COLLECTIF DES MOUVEMENTS POUR LE CHANGEMENT — COORDINATION NATIONALE — C.M.C

Athanase KUBA MARANDURA
Président

(Document recovered by the Group in February 2017)

b) APRDC manifesto dated 12 October 2017

Manifeste sur les objectifs de l'APRDC

Alliance des Patriotes pour la Restauration de la Démocratie au Congo (APRDC)

Manifeste sur les objectifs de l'APRDC

La force des autorités se fonde sur celle de ceux qui sont derrière eux.

La force du peuple se fonde sur l'intégrité de ceux qui le dirige.

Logo

Le logo de l'APRDC consiste en la Colombe de la Paix encadrée par la Balance de la Justice, la Houe du Travail et le Stylo de l'Éducation. Les devises de Justice-Paix-Travail sont déjà celles de la RDC, mais l'APRDC pense que l'Éducation est aussi un pilier sur lequel la nouvelle République Démocratique du Congo doit se fonder.

Présentation

L'Alliance des Patriotes pour la Restauration de la Démocratie au Congo (APRDC) vise le rétablissement de la Démocratie en République Démocratique et au monde en général.

L'APRDC compte atteindre cet objectif à travers:

- L'éducation civique populaire basée sur l'expression libre de chaque citoyen à travers le vote comme méthode d'expression ;

- L'éducation politique de toute la population Congolaise afin de lui donner les outils nécessaires pour construire une nation forte;

- La promotion du consensus et du compromis comme culture publique;

- L'instauration d'une justice transparente et indépendante;

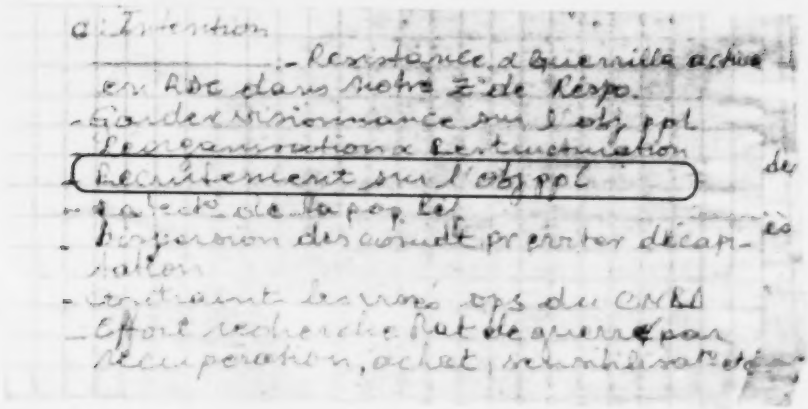
- La lutte contre toute forme de corruption et de détournement des deniers publics;

- La lutte contre toute violation du consensus national établit à travers la Constitution Nationale ou du consensus perçu publiquement à travers la recherche populaire de justice, de paix et de travail.

(See http://aprdcongo.org/2016/10/12/manifeste-sur-les-objectifs-de-laprdc/, last accessed on 15 June 2017)

Annex 10: Continuous FDLR recruitment efforts

a) FDLR leadership orders recruitment in September 2016



(Document recovered by MONUSCO, highlights by the Group)

b) Recruitment out of Nakivale refugee camp in Uganda

One demobilised combatant explained to the group how the FDLR had been able to recruit him and a group of other adolescents from Nakivale refugee camp in Uganda. FDLR middlemen, two of them identified as "Hadj" and "Senga", in the camp sensitise young refugees to join FDLR. Once agreed, the recruits are given money for the travel and accompanied to Bunagana, from where they continue towards Virunga National Park, accompanied in at least one case by a fixer called "Mabirizi". Ex-combatants who had been recruited this way told the Group they ended up in the "non-conventional logistics" unit led by Kanyoni, based between Kazaroho and Kagando near Bambu.

Annex 11: FDLR plan to attack CNRD in the second half of 2016

ACTION A PRENDRE CONTRE CNRD:
a. Formation de Rens sur la mise sur cette ORG
b. Couverture morale et d'information de la population
c. Lancer propagande incitant à la désertion des militaires
d. Si possible mettre le comité provincial au sud
e. Entretenir et occuper le territoire de la légalité
f. Continuer le renforcement des Bataillons et
ZOZI

(Documents recovered by MONUSCO in January 2017, highlights by the Group)

Annex 12: FDLR communiqué dated 26 January 2017

- FDLR -

FORCES DEMOCRATIQUES DE LIBERATION DU RWANDA
DEMOCRATIC LIBERATION FORCES OF RWANDA
URUGAGA RUHARANIRA DEMOKARASI NO KUBOHOZA U RWANDA

BUREAU DU PRESIDENT / IBIRO BYA PEREZIDA / OFFICE OF THE PRESIDENT

UBUTUMWA BW'UBUYOBOZI BUKURU BW'URUGAGA FDLR BUGENEWE ABACUNGUZI BOSE N'INSHUTI ZARWO KURI IYI TALIKI YA 28 MUTARAMA 2017 KU ISABUKURU Y'IMYAKA 56 YA DEMOKARASI IMAZE IVUTSE MU RWANDA.

Bacunguzi. Bacunguzikazi. nshuti z'urugaga FDLR. taliki 28/01/1961 ni umunsi mukuru utazibagirana mu mateka y'igihugu cyacu u Rwanda.

Abanyarwanda rwese rwibukizho ko ingoma mbi ya cyami yari yarazambaguje rubanda yasezerewe burundu bikorewe i Gitarama, igasimbuzwa REPUBURIKA na DEMOKARASI. Kuri uwo munsi abayobozi bo mu nzego z'ibanze bitorewe n'abaturage rubanda nyamwinshi bari bamaze kurambirwa n'ikandamizwa ry'iyo ngoma ngome. Babyemeje rero ku manywa y'ihangu berekana ko bashaka DEMOKARASI aribyo kuvuga " UBUTEGETSI BW'ABATURAGE, BUSHYIRWAHO N'ABATURAGE, BUGAKORERA ABATURAGE ". Basezerera gutyo ingoma ya cyami na gihake hajyaho Demokarasi igendanye na Repubulika akaba ari nayo mpamvu wiswe " IVUKA RYA DEMOKARASI MU RWANDA «. ariko abambari b'ingoma ya cyami bo bakuwita uwa " coup d'État y'i Gitarama " , nibese ko ubutegetsi babwihaye ku ngufu.

Bacunguzi. Bacunguzikazi. nshuti z'urugaga FDLR. kugira ngo iyo Demokarasi igerweho habaye ab'abagabo, impurumbanyi zitanze. baniwe baricwa. abandi bahagura ibumuga ariko abandi bakomeza umurtsi kugeza bageze ku cyo biyemeje cyo guhurika ingoma ya cyami. Muri aka kanya rero dufate umunota umwe tuzirikane izo nwari zabaye ibitambo bya Demokarasi.

Bacunguzi. Bacunguzikazi. nshuti za FDLR. abambari b'ingoma ya cyami ntibemeye gutsindwa. bitabaza na LONI ngo ibasubize ku butegetsi. Na bwo muri KAMARAMPAKA baratsindwa. abaturage bashinzwa ko nta ngoma yo cyami bashaka. ko bahisemo Demokarasi muri Repubulika.

Ariko nyuma ibisigisigi bya cyami ntibarekeye aho. batangije ibitero kuri Repubulika na Demokarasi bigitangira ngo basubize ubutegetsi. ariko ingabo z'u Rwanda z'icyo gihe zikaya zibakubita mshuro kugeza mu 1967. Nyuma bahagarika ibitero bajya kwisuganya. bagaruka taliki ya 1/10/1990 biyise FPR INKOTANYI. Nyuma y'imyaka 4 y'intambara na bwo bakubitwa mshuro. baje kugera ku butegetsi nyuma yo kunena umuvu y'amaraso y'abanyarwanda benshi ariko bafashijwe n'ibihugu binrwe ndetse n'iby'ibihangange ku isi isi.

Kandi na none kugira ngo bagere kuri uwo mugambi wabo mubisha bifashishije abahutu b'inda nini. aba ari bo bashyira imbere kugira ngo rubanda nyamwinshi rubone ko atari ibisigisigi bya ya ngoma ya cyami. Muri abo bahutu bagambaniye bene wabo twavuganuo nka Kolonel Alexis Kanyarengwe. Pasteur Bizimungu. Seth Sendashonga. Twagiramungu Faustin n'abandi.

Bacunguzi. Bacunguzikazi. nshuti z'urugaga FDLR. ubutegetsi bw'i Kigali. ni ubundi bwami bw'ihindutse ukundi bugomba guhirikwa. Demokarasi ikomgera igashinga imizi muri Repubulika. FDLR ni byo duharanira kandi ngomba kubigeraho. Birasaba rero ubwitange no gukomeza umurtsi bya buri wese.

Gusa abameze nka ba Kanyarengwe baracyariho no mu rugaga rwacu barahagaragaye, ibitari kure ni Ndagijimana Lawurenti wiyita Irategeka Wilson, wagumuye bamwe mu bacunguzi ababeshye ko agiye kubacyura byihuse kandi mu cyubahiro. None amaso yaheze mu kirere! Ariko bamwe batangiye kuvumbura imigambi ye mibisha yo kubasubiza ku ngoyi; nibigobotore rero hakiri kare.
Na ba Pasteur Bizimungu, babibonye nyuma ko babaye ibikoresho nta garuriro.

Bacunguzi, Bacunguzikazi, ntimucibwe intege n'abagambanyi bafite imyumvire mibi bakoreshwa n'umwanzi. Abantu nkabo kuva na kera bababo. Kimwe n'ibindi bigwari bita urugamba bikishyira umwanzi cyangwa bikajya ahandi.

Buri wese rero nahagarare neza mu mwanya we, akore ibyo asabwa n'urugaga FDLR, kugira ngo tuzongere duheshe abanyarwanda Demokarasi nyayo, kandi IMANA turi kumwe.

Harakabaho Urugaga FDLR n'inshuti zarwo ;
Harakabaho Abacunguzi n'Abacunguzikazi ;
Harakabaho Demokarasi mu Rwanda

Bikozwe tariki ya 26 01 2017.

BYIRINGIRO Victor
General Major
Président ai des FDLR

(Document recovered by the Group in February 2017, highlights by the Group)

Annex 13: FDLR-supporting websites

Websites hosted on IP address: 188.121.43.37

Hosted in the Netherlands

Location Latitude: 52.374

Location Longitude: 4.88969

Sites opened/administered by Ignace Ntirushwamaboko aka Darius Murinzi

FCLR representative for North America

Ignace Ntirushwamaboko

10-264 College Av. W, Guelph – Ontario N1G 1S8, Canada

Registrant Phone: +1.5192650593

Registrant Email: dariusmurinzi@yahoo.com

Admin ID: CR199497359

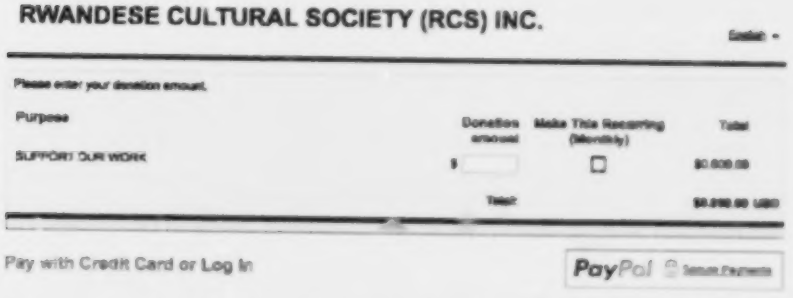
a) "rwacu.org", the Rwandan cultural society

Registrant Name: Ignace Ntirushwamaboko

Admin ID: CR234702839

Hosted IP Address: 188.121.43.37

b) Pay Pal account of the Rwandese Cultural Society



(See https://www.paypal.com/us/cgi-bin/webscr?cmd=_flow&SESSION=DoY0ZbUk0fcOR_I9t-0LBwmhH6gVifA5ficanewY9KiB8sU-9K6d9CbyPx3y&dispatch=5885d80a13c0db1f8e263663d3faec8d83a0bf7db316a7beb1b14b43acd04037&rapidsState=Donation_DonationFlow_StateDonationStart&rapidsStateSignature=2e2bc5a7504c37bc916eac97eabbdb72c62eb65b last accessed on 15 June 2017)

c) "intabaza.com"

Registrant Name: Ignace Ntirushwamaboko

Hosted IP Address: 188.121.43.37

d) "[redacted]", Radio Umucunguzi

Registrant Name: Ignace Ntirushwamaboko

Hosted IP Address: 188.121.43.37

e) "uruganga.org"

Registrant Name: Ignace Ntirushwamaboko

Hosted IP Address: 188.121.43.37

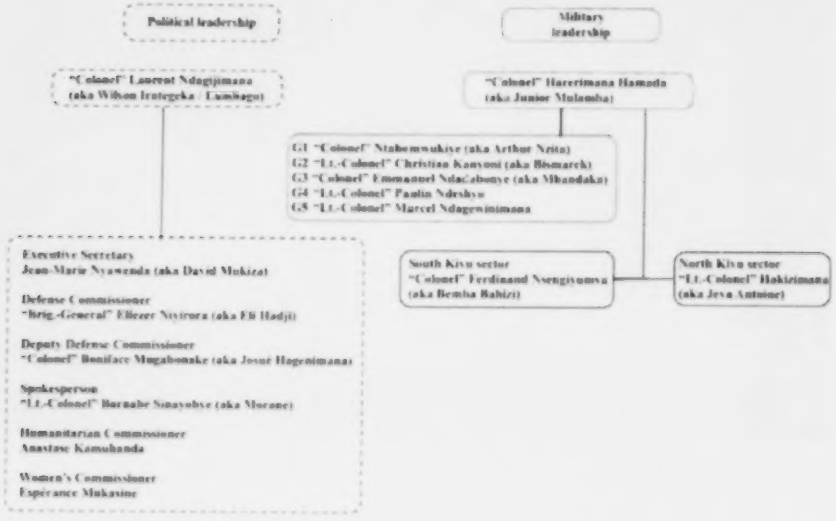
f) Damas Murinzi 's facebook page

g) Ignace Ntirushwamaboko's post on the FCLR's facebook page

Annex 14: Counterfeit DRC electoral card used by "Colonel" Félicien Nzanzubukire

(Recovered by the Group in February 2017)

Annex 15: CNRD structure and leadership as of June 2017


Political leadership
Military leadership
"Colonel" Laurent Ndagijimana (aka Wilson Irategeka / Lumbago)
"Colonel" Harerimana Hamada (aka Junior Mulamba)
G1 "Colonel" Ntahomvukiye (aka Arthur Nzita)
G2 "Lt.-Colonel" Christian Kansoni (aka Bismarck)
G3 "Colonel" Emmanuel Ndacabonye (aka Mbandaka)
G4 "Lt.-Colonel" Paulin Ndirshyo
G5 "Lt.-Colonel" Marcel Ndagewimana
Executive Secretary
Jean-Marie Nyawenda (aka David Mukizo)
Defense Commissioner
"Brig.-General" Elieser Niyirora (aka Eli Hadji)
Deputy Defense Commissioner
"Colonel" Boniface Mugabonake (aka Josué Hagenimana)
Spokesperson
"Lt.-Colonel" Barnabe Sinayobye (aka Morone)
Humanitarian Commissioner
Anastase Kamuhanda
Women's Commissioner
Espérance Mukasine
South Kivu sector
"Colonel" Ferdinand Nsengiyumva (aka Bemba Bahizi)
North Kivu sector
"Lt.-Colonel" Hakizimana (aka Jeva Antoine)

(Table based on interviews conducted by the Group and documentary evidence)

Annex 16: Background on the FDLR/CNRD split

Since former Rwandan Prime Minister Faustin Twagiramungu had created an opposition coalition in 2014, Ndagijimana, a 'southerner' like Twagiramungu and other progressives had been pushing for the FDLR to rally opposition efforts less extremist and not linked to the 1994 Genocide. FDLR interim president Byiringiro, Mudacumura and other 'northeners' remained reticent. Besides the regionalist dimension, FDLR and CNRD members told the Group that the split was also one of generational differences – the younger among the leadership accused the elder of not having brought back the refugees in dignity – as well as a split along former *Armée pour la liberation du Rwanda* (ALiR, FDLR's two-winged predecessor organisation) lines, with Hamada and Ndagijimana originating from ALiR II while Mudacumura, Ntawunguka and Byiringiro were in ALiR I.

Annex 17: SOCIRWA communiqué on the split of refugee communities

SOCIETE CIVILE DES RWANDAIS REFUGIES EN RDC
(SOCIRWA /RDC)
E-mail <socirwardc11@gmail.com>
Tel :(+243) 825 940 306

COMMUNIQUÉ DE LA SOCIRWA/RDC No 016/028

COMMUNAUTÉ RWANDAISE RÉFUGIÉE EN RDC:"APPEL AU RAPPROCHEMENT"

01. La société civile des rwandais réfugiés en RDC (SOCIRWA/RDC), apprenant la déclaration du 20 nov 2016 de Mme IRAGENA Joséphine, prend acte de sa décision de s'auto-exclure de la SOCIRWA/RDC dont elle était 2ème Vice-Présidente. La SOCIRWA/RDC lui souhaite bonne chance dans la nouvelle organisation qu'elle a dénommée SOCIR (société civile internationale des réfugiés rwandais).

02 A cette occasion, la SOCIRWA/RDC renouvelle son comité de coordination comme suit:
- Président :HABUMUREMYI MUHIRE ANGELO
- 1er Vice-Président :Pasteur NKUNDIYE Esron
- 2ème Vice-Présidente :Mme MUKAMANA Odette
- Secrétaire Général :MUTANGANA Alexandre
- Trésorière :Mme MUSABYIMANA Thérèse
- 1er Secrétaire général adjoint :SERUGENDO J Pierre
- 2ème Secrétaire générale adjointe :Mme FURAHA Eugénie
- Trésorier adjoint :KAMANZI Deogratias
- Secrétaire Particulier :BYIGERO Willy
- Secrétaire Permanente :Mlle UWIMANA Olive
- Conseiller Principal :TUYIZERE Maurice

03. Concernant le HCR et la CNR: la SOCIRWA/RDC dément catégoriquement avoir conspiré à l'attaque de Bweru contre le site d'enregistrement des réfugiés rwandais (en avril 2016) et reste convaincue que seule une enquête indépendante peut dégager la vérité. Le nouveau comité de coordination de la SOCIRWA/RDC réitère son entière disposition à coopérer avec ces deux institutions qui connaissent bien,d'une part ,les efforts fournis par la SOCIRWA/RDC dans le

processus du dossier "Réfugiés Rwandais en RDC" et ,d'autres part, la nature des difficultés et handicaps affrontés dans tout le processus de ce dossier depuis 2013

04.A propos des calomnies et autres accusations mensongères à l'endroit de la SOCIRWA/RDC et son Président, amalgamés délibérément avec les FDLR que combat actuellement le CNRD (dissidents aux FDLR dès le 31/05/2016) dont le chef est l'époux de Mme IRAGENA Joséphine,nous crions haut et fort qu'il s'agit purement et simplement d'un plan de diaboliser la SOCIRWA/RDC, ses officiels et même ses acquis,diabolisation mise en forme par la déclaration du 20 nov 2016 afin d'en faire le prétexte pour fonder la SOCIR qui pourtant, dans la liberté du droit associatif,pouvait voir le jour, sans toutefois se baser sur la stratégie de diffamer et surtout d'incriminer gratuitement sa grande soeur, la SOCIRWA/RDC.

05. Préoccupée par les graves conséquences que court la communauté rwandaise réfugiée si la DISCORDE entre elle n'est pas freinée et éradiquée avant qu'il ne soit trop tard,le SOCIRWA/RDC appelle la SOCIR et tous les autres acteurs influents au sein de la communauté à faire preuve de RETENUE et de TOLÉRANCE pour œuvrer au RAPPROCHEMENT et ce,dans l'intérêt suprême des réfugiés rwandais en RDC qui depuis 1994,ont évolué en une communauté unie,partageant les mêmes souffrances et surtout le même espoir de sortir ,un jour, en dignité de ce long calvaire sans précédent dans l'histoire des réfugiés au monde.

Fait à Goma, le 13/12/2016

Pour la SOCIRWA/RDC

HABUMUREMYI MUHIRE Angelo.

Président

(Document recovered by the Group in December 2016)

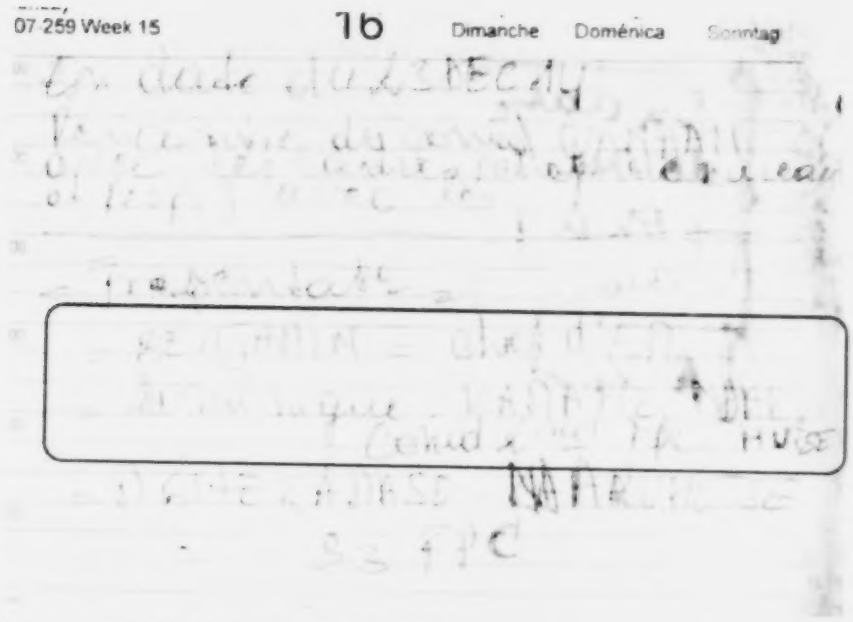
Annex 18: Nyatura factions in Masisi and Rutshuru

The Group notes a high level complexity regarding local armed groups that refer to the umbrella term Nyatura ("those who hit hard") in North Kivu. By June 2017, Nyatura factions have been active in many parts of Rutshuru and Masisi territories. In the past, the Group reported on child recruitment by Nyatura factions (see S/2015/19, paras. 128-130, S/2014/42, paras. 158-160). The following table is an updated version of S/2016/1102, annex 21, and lists the factions the Group was able to identify during the period under review.

Alias	Name	Leader	Area
APRDC	*Alliance des Patriotes pour la Réstauration de la Démocratie au Congo*	Benjamin Ndikuyeze	Bwito
Nyatura Domi	*Forces de Patriotes Congolais*	Ndaruhutse Kamanzi	Bukombo
Nyatura John Love	*John Love*	Muhawenimana Bunombe	Muriki
Nyatura Jean-Marie	-	Jean-Marie	Mpati
Nyatura Nzayi	-	Nzayi Kanyange	Katsiru
Nyatura Kasongo	*Groupe de Sécurité*	Kasongo Kalamo	Mweso
Nyatura Ngwiti	*Groupe de Sécurité*	Ngwiti Bahati	Busumba
Nyatura Noheri	*Groupe de Sécurité*	Noheri	Mweso
Nyatura Bavakure	*Justice et Egalité pour la Démocratie*	Bavakure	Masisi
Nyatura Kavumbi	-	Kavumbi	Kahira
Nyatura Kigingi	*Mouvement de Résidents Congolais pour un Changement Vital*	Kigingi Machokotala	Nyamaboko
Nyatura Delta	-	Delta Kashamare	Katoyi
Nyatura Kalume	-	Matias Kalume Kage	Ufamando

(Table based on interviews conducted by the Group and documentary evidence)

Annex 19: FDLR internal list of Nyatura-Domi/FPC leadership in December 2014



(Document recovered by MONUSCO, highlights by the Group)

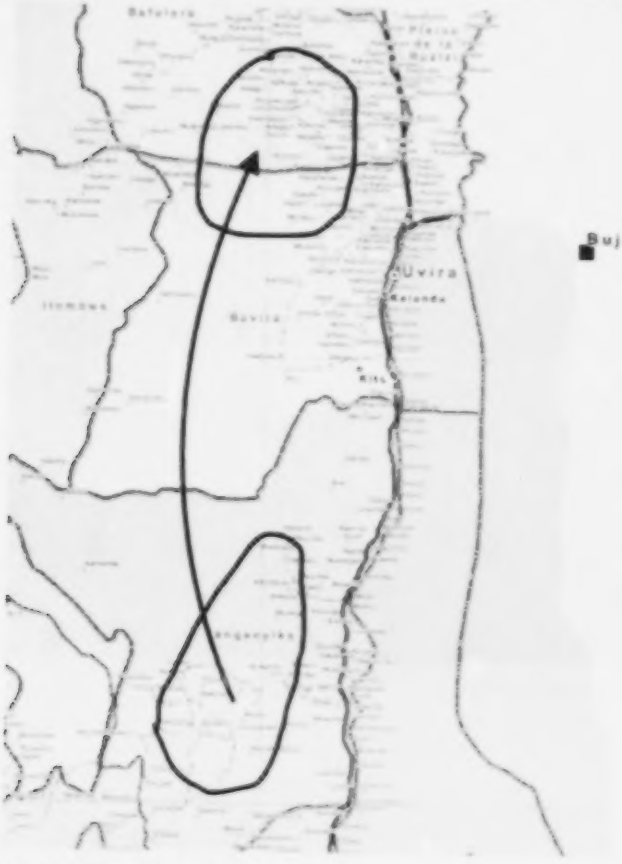
Annex 20: FNL-Nzabampema and RED-*Tabara*

As previously reported by the Group (see S/2016/466 paras. 42-45), the *Forces nationales de liberation* (FNL)-Nzabampema branch continues to operate in eastern DRC with occasional incursions into Burundian territory. Led by "General" Aloys Nzabampema, a defector of the Burundian army, this armed group has recently lost in strength following joint operations by FARDC and MONUSCO. Currently, the FNL-Nzabampema's main operational theatre is Rukoko area. Nzabampema's deputies are "Colonel" Nestor Nizigama and "Colonel" Paul Abayisenga. A separate FNL faction works under "Major" Evelyne since her husband "General" Shuti Baryanka has been killed in 2016.

Since the Group's last final report, the *Résistance pour un état de droit* (RED)-Tabara has been continuously weakened due to internal discord, the lack of foreign support, FARDC operations and increasing hostility from local armed groups in the Ruzizi plain (see S/2016/466, paras. 33-41). RED-Tabara is currently highly mobile and based out of the Uvira hills. It collaborates with factions of the Banyamulenge armed group Ngumino.

Annex 21: FOREBU area of influence in 2017

While previously operating in the Tanganyika Sector, Fizi Territory, the FOREBU has, in early 2017, relocated a significant part of its effectives towards Uvira Territory, as indicated below. The respective areas of influence are approximations based on interviews conducted by the Group.



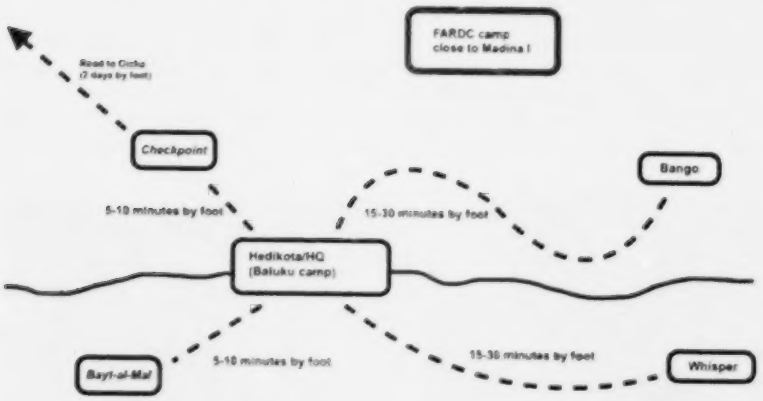
(Map by OCHA, edited by the Group)

(Forebu logo recovered by the Group)

Annex 22: ID cards of Ugandan nationals arrested for planning to join FOREBU

(Pictures recovered by the Group in February 2017)

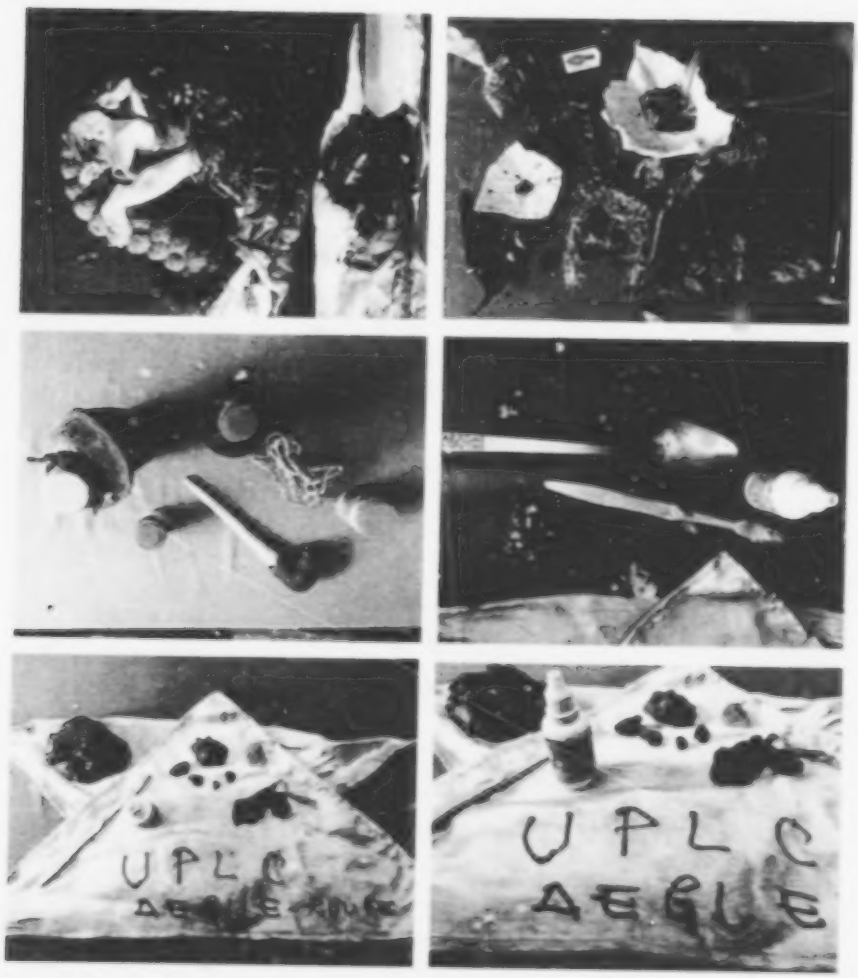
Annex 23: Approximate structure of the Madina II camp complex of the ADF



(Graphic based on interviews conducted by the Group)

Annex 24: Mai Mai Kilalo *dawa*

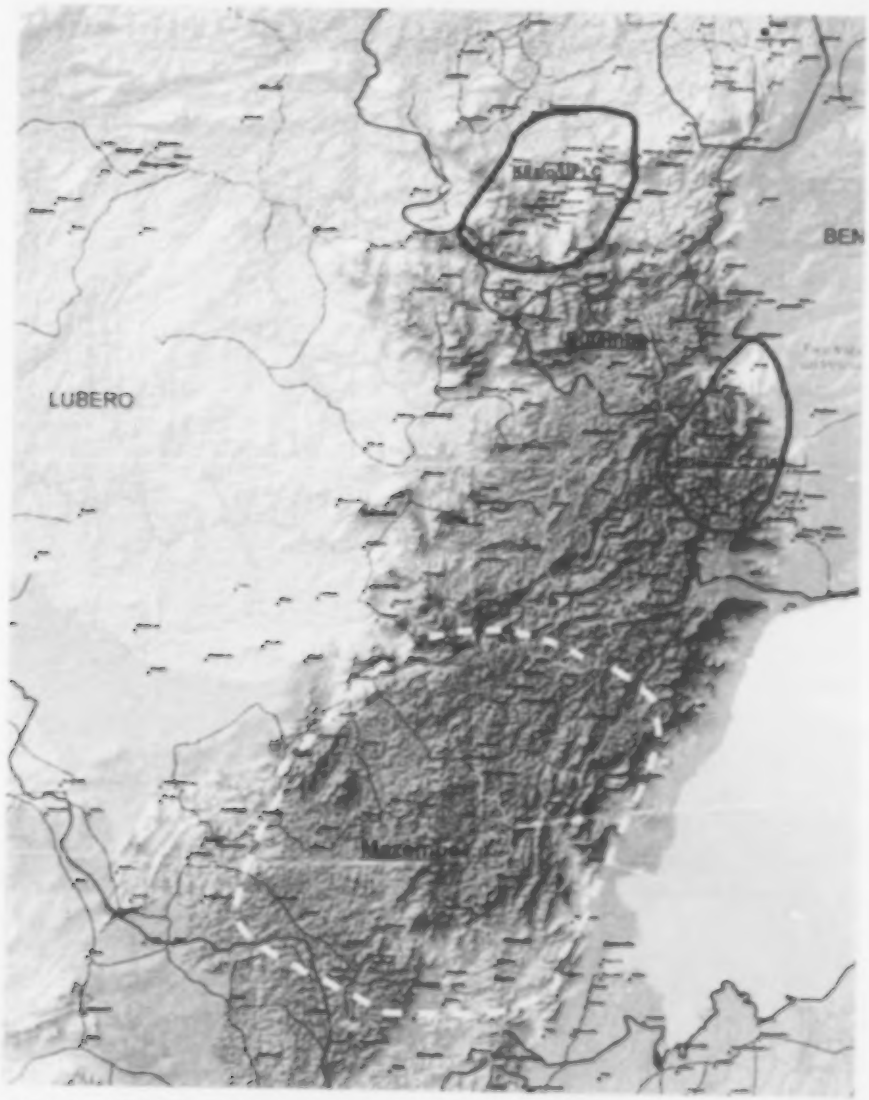
Several ex-combatants explained to the Group the key feature of the ritual to prevent bullets and blades from wounding combatants during fighting: recruits tiptoe on a weapon, as fellow Mai Mai use razorblades to tattoo them with the ashes of sacred plants. These ashes are also mixed with local beer to drink and water to sprinkle combatant bodies prior to an operation. The Group retrieved Kilalo's *dawa*, including alcohol and light drugs. For it to work, combatants must obey rules: no sleeping with menstruating women, no raping, no intercourse on the floor, no stealing, no lying, no urinating into running water, no washing unless with source water, no eating of certain vegetables. Other ex-combatants, including from Mai Mai Mazembe provided similar accounts. Ex-combatants interviewed by the Group said that the tattooing procedure continues to stigmatise them even after having demobilized.



(Pictures by the Group in March 2017)

Annex 25: Map of key Mai Mai groups operating around Butembo in mid-2017

The map indicates approximate zones of influence of Mai Mai Kilalo, northwest of Butembo, Mai Mai Corps du Christ, southeast of Butembo, as well as the much more decentralised Mai Mai Mazembe in southern Lubero Territory.



(Map by the United Nations, edited by the Group)

Annex 26: Mai Mai Kilalo (UPLC) taxation receipt, stamp and flag

a) Taxation receipt of Mai Mai Kilalo/ULPC

(Recovered by the Group in February 2017)

b) Mai Mai Kilalo/ULPC stamp and flag

(Pictures by the Group)

(Picture by MONUSCO, after the 19 December 2016 attack in Butumbo)

Annex 27: Excerpts of the military justice report on the Luhanga massacre

RÉPUBLIQUE DÉMOCRATIQUE DU CONGO
JUSTICE MILITAIRE

AUDITORAT MILITAIRE SUPERIEUR
OPERATIONNEL DE NORD-KIVU
Cabinet du Substitut

Beni, le 16/12/2016

N°AMG/OPS/ 511 /D8a/16

Transmis copie pour information à:

- Monsieur l'Auditeur Général des FARDC à KIN/GOMBE ;
- Monsieur le Commandant 3ème Zone de defense à KISANGANI ;
- Excellence Monsieur le Gouverneur de la Province de Nord-Kivu à GOMA ;
- Monsieur le Commandant 34Région Militaire et Commandant Secteur OPS SUKOLA I Nord à BENI ;
- Monsieur le Commandant 3401Régiment à KIRUMBA ;
- Monsieur l'Administrateur du Territoire de LUBERO à LUBERO ;
- Monsieur le Chef de Bureau de la MONUSCO BENI à BENI ;
- Monsieur le Chef de Section Appui à la Justice MONUSCO BENI à BENI ;
- Monsieur le Chef de Section BCNUDH MONUSCO BENI à BENI ;
- Monsieur le Chef de Cellule des poursuites Judiciaires de la MONUSCO BENI à BENI.

2

Objet : Rapport relatif à la Mission Judiciaire effectuée à LUHANGA pour crime contre l'humanité par meurtre

A Monsieur l'Auditeur Militaire Supérieur Opérationnel de Nord-Kivu à GOMA

Monsieur l'Auditeur Militaire Supérieur Opérationnel,

J'ai l'honneur de vous transmettre en annexe le rapport d'enquête mené dans le village LUHANGA situé au sud du territoire de LUBERO.

Veuillez agréer, Monsieur l'Auditeur Supérieur Opérationnel, l'expression de ma respectueuse considération.

3

RAPPORT DE LA MISSION EFFECTUEE DANS LA LOCALITE DE LUHANGA, EN TERRITOIRE DE LUBERO

1. Rétroactes

En date du 27/11/2016, un massacre a été perpétré dans le village de LUHANGA. Le bilan de ce massacre annoncé par la presse, donne des chiffres qui varient entre 30 à 36 personnes tuées et plusieurs autres blessés.

Le 1° AVOCAT GENERAL des FARDC Chef de l'Action Publique, en mission à BENI, m'a instruit d'effectuer une descente sur le lieu du crime en vue de mener des enquêtes.

5

7.2. Communauté assaillante

Les assaillants ont été identifiés comme étant des Mai-Mai MAZEMBE, qui sont de la communauté NANDE.

7.3. Déroulement de l'attaque

Avant l'attaque du 27 Nov 2016, 2 personnes de tribu NANDE, avaient été tuées à cause de leur familiarité avec les HUTU du Camp de LUHANGA. Il s'agit de KASEREKA KISUKI et de KASEREKA VOITURE. Ces meurtres ont été imputés aux Mai-Mai MAZEMBE.

Le 27 Novembre 2016, 3 groupes de Mai-Mai MAZEMBE ont encerclé le camp et ont ouvert le feu, tuant et blessant sans discernement. Ils ont également pillé systématiquement le camp avant de se retirer. Il est à noter que les Mai-Mai MAZEMBE ont également attaqué la position FARDC située à côté du camp de LUHANGA et ont délogé nos militaires.

7.4. Bilan de l'attaque

- 29 personnes habitant le camp LUHANGA tuées par balles (voir liste en annexe 1)
- 01 Mai-Mai MAZEMBE, non autrement identifié, tué par balles
- 15 personnes blessées (voir liste en annexe 2)

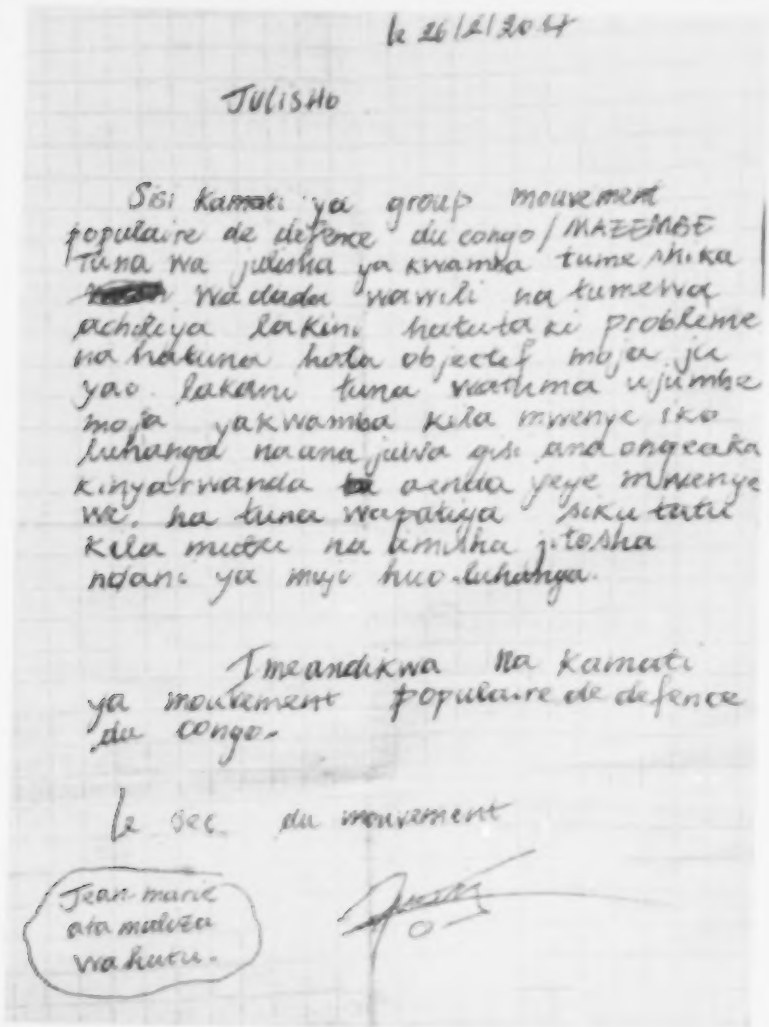
7.5. Personnes considérées instigatrices de cette attaque

- Le Sénateur VENANT TSHIPASA, qui, le 20 Juillet 2016, avait déclaré au marché de LUHOFU que les Mai-Mai MAZEMBE devraient être considéré comme gardien de la paix par les NANDE. Pour la population HUTU, ces propos ont encouragé les Mai-Mai MAZEMBE dans les actions menées contre la communauté HUTU ;
- Le Chef de localité BONE BEMBELEZA, Chef de localité BUNYAKA ESINGA, qui aurait déclaré au cours d'une réunion de sécurité que si les NANDE tuent les HUTU c'est parce que ils ont la même langue et les mêmes comportements que les FDLR

(Document recovered by the Group)

Annex 28: Anti-Hutu pamphlet circulated in February 2017 around Luhanga

While the Group cannot ascertain the tract's authenticity, it collected testimony on the circulation of such pamphlets during the period under review. The below tract threatens Rwandophone populations to leave the area around Luhanga within three days. Signed by "Jean-Marie who will finish with the Hutu", the Group was not able to authenticate the identity the author.



le 26/12/2014

JULISHO

Sisi kamati ya group mouvement populaire de defence du congo / MAZEMBE Tuna wa julisha ya kwamba tume shika [redacted] wa dada wawili na tume wa pachika ya lakini hatuta ki problème na hakuna hata objectif moja ya yao. Lakini tuna wathima ujumbe moja yakwamba kila mwenye ako Luhanga na una juwa gisi ana ongeaka kinyarwanda ta acheni yeye mwenye we. na tuna wapatiya siku tatu kila mutu na limtha ya tosha ndani ya muji huo Luhanga.

Imeandikwa na kamati ya mouvement populaire de defence du congo.

le Sec du mouvement

Jean marie ata malizwa wa hutu.

(Document recovered by the Group)

Annex 29: Pictures of Mai Mai entering Beni on 15 October 2016

(Pictures recovered by the Group)

Annex 30: Press release by the Government of Uganda on 19 January 2017

M23 Press Release | Uganda Media Centre

19/1/2017

PRESS RELEASE

The Uganda Government would like to inform the public and the international community that the M23 rebels that have been cantoned at Bihanga Military Training School in Ibanda District since the Agreement of 2014 have been quietly escaping into the general public and some to unknown places.

Last night, the Uganda Security intercepted four (4) vehicles at Mbarara that were carrying 101 former M23 combatants who were travelling on their way to Democratic Republic of Congo (DRC).

These had disguised themselves as ordinary travelling passengers upon interrogation, it was established that they were part of the M23 former combatants who had been cantoned at Bihanga Barracks. There were stealthily leaving their gazetted place of abode contrary to the Agreement of 2014 and the protocols signed with the DRC Government.

Consequently, they were apprehended and are now being detained at Makenke Barracks, the second division Headquarters near Mbarara town. These 101 were following an earlier group of 40 that were discovered to have escaped seven (7) days ago and their whereabouts are not known.

Uganda would like to inform the public and international community that currently there are 270 former M23 combatants still cantoned at Bihanga.
We would like to restate our commitment to live by the agreements and obligations that were entered into in 2014.

Uganda will not and does not support any armed activities to distabilise the Democratic Republic of Congo.

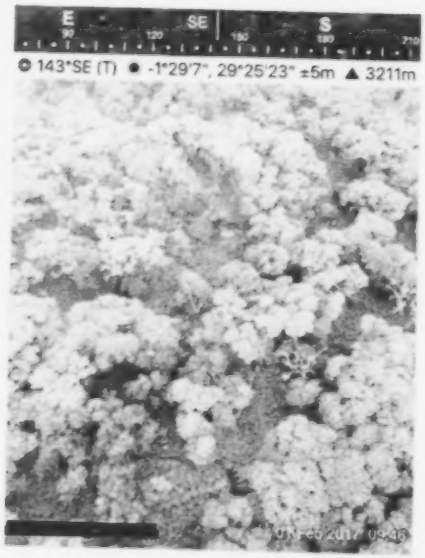
We invite the media and observers to go to Makenke and conduct their own verification of these 101 former M23 detainees

Ofwono Opondo
Executive Director Uganda Media Centre

(Document recovered by the Group)

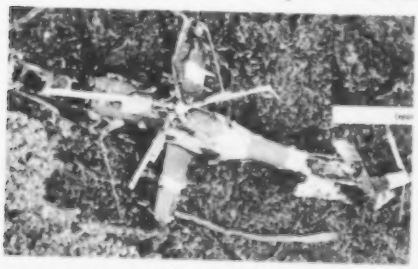
Annex 31: Crash of two FARDC Mi-24 helicopters near Mount Mikeno

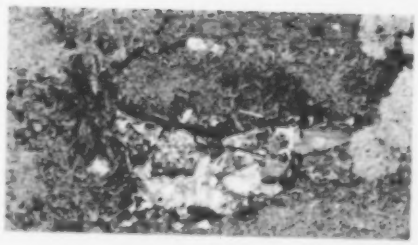
a) Location of the crashes one and two



(Pictures by the Group)

b) Close-up pictures of the helicopters one and two





(Pictures by MONUSCO)

Annex 32: Press release of the Rwanda Defence Force

PRESS RELEASE

1. In the morning of 29 January 2017, a group of unarmed people claiming to be M23 combatants crossed into Rwanda through Rwanda-DRC common border, in Bugeshi Sector, Rubavu District. By 17:00 Hrs, 30 individuals had been registered.

2. According to information received from the combatants by Rwanda Defence Force, they claim that they are fleeing from combat action by DRC Armed Forces (FARDC).

3. The fleeing combatants have been seen by the International Committee of Red Cross (ICRC) and those requiring medical attention have been attended to by the ICRC, in accordance with International Humanitarian Law.

END

Rene Ngendahimana
Lt Col
Ag. Defence & Military Spokesperson

(See https://mod.gov.rw/news-detail/?x_tnews%5Btt_news%5D=4352&cHash=a5ec7254777607ca9178d6168094bc13, last accessed on 15 June 2016)

Annex 33: Ex-M23 combatants captured by the Ugandan army in Bunagana

(Pictures recovered by the Group in February 2017)

Annex 34: PNDDR3 statistics

1. Statistiques globales au 22 mai 2017

SITES	SESSION 01 & 02								
	KITONA			KAMINA			TOTAL		
	Hom	Fem	TOT	Hom	Fem	TOT	Hom	Fem	TOT
Installés physiques	1545	16	1561	2153	63	2216	3698	79	3777
En cours de reinsertion	463	8	471	402	6	408	865	14	879
TOTAL	2008	24	2032	2555	69	2624	4563	93	4656

SITES	SESSION 02 (ACTUELLEMENT DANS LES CPR)								
	KITONA			KAMINA			TOTAL		
	Hom	Fem	TOT	Hom	Fem	TOT	Hom	Fem	TOT
En cours de reinsertion	463	8	471	402	6	408	865	14	879
TOTAL	463	8	471	402	6	408	860	14	879

2. Statistiques au 22 mai 2017 (suite)

répartition par groupe arme d'origine

GROUPE ARME	KAMINA	KITONA	TOTAL
FDC	4		4
FDC/Kamina	4		4
FDC/Kalonge		2	2
MM KYUNGU	2		2
MM KWILU	2		2
LRD		2	2
APCLS/Ngima	1		1
ADS	1		1
FDC/LUBE	1		1
FDC/Kisimi		1	1
FDH/NDEL	1		1
FDL		1	1
FLF		1	1
LRA/Ougandais	1		1
MDLK	1		1
MM Bede/Lumu		1	1
MM TSHUMA	1		1
Mudundu	1		1
NDF NDUMA	1		1
NDL/KENDJI	1		1
Nyatura Ngilagi		1	1
PCD	1		1
RAMATON	1		1

GROUPE ARME	KAMINA	KITONA	TOTAL
Pahe/Mudundu	68	149	187
Mai Mai	78	51	129
Nyatura	57	54	111
FRPI	5	40	45
APCLS Janvier	28	15	43
M23	27	9	36
NDC/Cheka	4	29	33
Raia Kalonge	-	25	25
FDLR/FOCA	15	10	25
AUTRES	-	14	14
FPC Lubemba/UPC?	1	13	14
FRD	-	9	9
UPCR/FPC	2	6	8
MM Yakutumba/Bembe	-	6	6
FDLR/FOCA/Rwandais	-	5	5
Nyatura Ngilagi	-	4	4
Bushimy Sawmill	-	3	3
...	...	...	...
ESPRIS DE CHRIST	2	-	2
MIRA	106	-	106
UPLD	13	-	13
MM CHANGU	11	-	11
MM Mazembe	11	-	11
MM MAKU	3	-	3
MM NGANDO	1	-	1

3. Réintégration : Statistiques

- Installés Physiques (3777)

Observation

(Documents provided to the Group by the UE-PNDDR)

Annex 35: Letter by ITRI Ltd to the Group

ITRI

Telephone
+44 (0)1727 875 544

Fax
+44 (0)1727 871 541

Internet
http://www.itri.co.uk

ITRI Ltd
Unit 3, Caro Park, Frogmore,
St Albans, Herts AL2 2DD, UK

Zrobel Behalal
Acting Coordinator, GOE on the DRC pursuant to resolution 2293 (2016)
c/o Mohamed Sesay Kanja
Acting Secretary, Security Council Committee 1533 (2004)
United Nations Secretariat
TB-08041 A
New York
NY 10017
USA

Via email to: sesaym@un.org

14th June 2017

Dear Zrobel,

Thank you for your letter dated 31st May 2017 of which we confirmed receipt on 8th June. As highlighted in previous correspondence, we have endeavoured to respond to your request in a timely manner although I hope that you can understand that we are obliged to prioritise on-going implementation activities, including management of important incidents impacting supply chains, over ad-hoc requests from external parties. This can make it impossible to meet short deadlines and we would highly appreciate that the GOE provides a minimum of one month for responses to future enquiries.

Request S/AC.43/2017/GE/OC.40

Your letter states that the GOE have found that ITSCI tags have been used to launder minerals from sites in Walikale and Shabunda sometimes under the control of armed groups (Mai Mai Simba and Rafa Mutomboki), or from non-validated sites.

Non-validated sites
Your enquiry implies that all non-validated sites are of the same level of concern as sites controlled by armed groups, however, this is not the case. Traceability is in place at many sites which do not have a current validation status.

The official validation process in the DRC has faced many delays. The original need for joint visits means that missions can be costly, long and difficult to organise. There have been many occasions when some organisations who wish to participate (for example IOM or BGR) have not been able to agree dates for visits due to limitations in budget, staff or because the mission would be to a complex area.

The process of validation is therefore still in progress, not all 3T sites in DRC have been visited by a validation team, even on a single occasion. While many sites have been validated in the past, the

validation articles are valid only for a 6 month period and most previously validated sites can no longer be considered to have a validation status since this period has expired.

Being a 'non-validated' site does not automatically mean that circumstances at the mine are unknown since alternative means for due diligence are possible. ITSCI was established prior to the start-up of official validations and gradual regularisation is still underway; validation teams have not visited all ITSCI sites within the past 6 months period, nevertheless, ITSCI baselines and continuous monitoring visits at every of our sites ensure issues, such as armed group presence, are known and reported.

The DRC Government is aware that regularisation of the validation process needs to be completed, and, that the validation process faces challenges of speed and cost. Their concern resulted in the Arrêté Ministériel N°0919/CAB.MIN/MINES/01/2015 du 29 Octobre 2015 fixant les procédures d'inspection, de qualification et de validation des sites miniers des filières aurifères et stannifère en République Démocratique du Congo, which introduced a more flexible approach to validation, allowing mine inspectors and/or traceability schemes to perform visits and report to the Minister. This was to move to a more cost effective and sustainable approach. In accordance with 0919 Arrêté, ITSCI is currently working on performing validation visits to some sites prior to implementation of traceability/due diligence.

There are of course other sites which are neither validated, nor approved for ITSCI implementation. One example is Kachuba site, Nzibira, our visit to which revealed possible involvement of FARDC which is not yet resolved.

The above represents our understanding of the reality on the validation process. In finalising your report, we request that the GOE avoids implying that all non-validated sites may be high risk, and includes exact details of site names which are a concern in order to allow proper evaluation of the evidence in the report, as well as future follow-up/mitigation.

Laundering:

Your letter states that ITSCI tags have been used to launder minerals from Walikale, sometimes sourced from sites under the control of armed groups, and enquires as to whether we are aware of this reality. Since there is no information contained in your letter regarding tag numbers, locations, dates or other key reference points we can neither respond in detail, nor take any action on GOE allegations of risk. However, we are happy to confirm that we are fully aware of potential risks to 3T supply chains across the central African region, including the potential for illegal, criminal or corrupt activity that may raise the risk of connections between armed groups and ITSCI minerals or companies. ITSCI references the OECD guidance and categorises Annex II risks which include 'fraudulent misrepresentation of the origin of minerals' para 11, and armed groups and security services, para 3-10.

It is because we recognise that such risks are in reality likely, are complex to manage, and can never be completely eliminated, that we put in place many different measures to monitor for such risks and to mitigate them in an appropriate way. The key tools in managing risks is the ITSCI incident management system and our follow up with stakeholders at all levels and of all types. Information on potential incidents is available from our field staff who have a continuous presence in the area, as well as via a whistleblowing mechanism and other communications.

Addendum

According to verbal information and testimonies, Mai-Mai Simba, and sometimes the self-proclaimed 'General' Mando, were present at or around Kalay Bowing (KB) camp at several occasions in the past months, specifically 7-9 January 2017 and 23 January-1 February 2017.

Tagging was suspended on 7 January 2017 when Mai Mai Simba arrived at the camp (Incident RR-2017-0001). We can confirm that the suspension occurred on 7 January not on 17 January 2017 as stated in your letter – although see below regarding mis-used tags.

On 9 January, Mai-Mai Simba reportedly collected money from each person present at the camp/village of KB site before leaving. Miners were allegedly at the mine site and not present at the camp at the time of the taxation. There are no reports or evidence to indicate that miners paid the Mai Mai Simba directly. However, taking into account that traditional authorities including the chief of locality and land owners apply local taxes including on mining activities, and considering that traditional authorities gave money to the Mai-Mai Simba, there is a recognised risk of indirect support to the Mai-Mai Simba.

One unarmed Mai Mai Simba fighter was later reported to have been seen at KB camp on 1 January 2017 and to have reportedly received money from traditional authorities at the camp during a New Year celebration (Incident RR-2017-0001).

For security reasons, ITSCI field staff left KB camp at the time Mai Mai Simba arrived which left ITSCI tags and logbooks under the control of the SAESSCAM agent at the site. Both parties signed a written declaration to confirm the suspension of tagging, including the reference numbers of tags and logbooks handed over to SAESSCAM. This statement stipulates that **no tags should be used until further notice by ITSCI**, but unfortunately, the SAESSCAM and Diwindos agents misused 73 of these mine tags at KB (Incident RR-2017-0014).

All exporters were informed about the incidents. Information was also provided on the mine tag numbers misused by SAESSCAM, with the request to segregate the minerals when/if received at exporter facilities in Goma. To date, 68 mine tags have been located at two exporters in Goma, North Kivu. All associated minerals were segregated by the exporters and no authorisation for export has been provided by the authorities. Five mine tags have not yet appeared in the supply chain.

A range of stakeholder meetings and communications proceeded in the early months of 2017 and tagging was resumed on 12 April 2017 following improvement of the situation. For example, the security situation at and around KB had been reassessed and found to be more positive, and, mitigation measures including sensitisation of traditional authorities, and steps to reduce the risk of future payments from traditional authorities to Mai Mai Simba, had been taken. As long as these mitigation measures are respected, and no other incident happen, these minerals can be exported from the DRC.

In March 2017, ITSCI put in place strengthened measures of tag distribution in the field to further reduce possible misrepresentation or origin of minerals from non-ITSCI sites (Incident NK-2016-157). These measures allowed the provincial authorities to uncover illegal transport of untagged minerals in Walikale territory and the presence of large quantities of stocks in several negociants depots. This mineral is considered to have been sourced from three mining area which is not validated, but on which there have been no recent reports of armed group activity. Recent high level stakeholder

discussions resulted in an agreement for ITSCI to tag minerals mined in Nizia for a period of 3 months during which artisanal miners will be encouraged to move away from the Alphonse Dove concession.

Lumbishi

ITSCI is aware of potential risks of minerals from non-ITSCI sites in Lumbishi and/or in Shabunda being fraudulently tagged in or around Walikale town. For example, such risks were recorded and reported in ITSCI incident SK 2016-0065 in April 2016. Such risks are not unexpected due to the slow pace of official validation of nearby sites, and in particular, stakeholder disagreement over [illegible] of informal mining on the Banro concession.

3T mining activities have always occurred around Lumbishi, including on the Banro groups concession. A number of stakeholder groups consider that formalisation of these miners and implementation of traceability would be a step forward, however other stakeholders are of the opposite opinion. Efforts to reach an agreement have been underway for several years without success, making it difficult to mitigate risks of fraud.

Nevertheless, the situation on the concession is well understood, and **there are no armed groups or state security forces reported in that concession.** Discussions between Banro and provincial authorities have been underway in order to allow artisanal miners to officially carry out activities in some areas of the concession in the same way as has been agreed at Nizia. This would further allow these 3T minerals to be tagged and controlled. In November 2016, the Provincial Minister of Mines sent an official letter to Banro, asking for their agreement in that regard but no actions had been taken by the end of the year.

Various allegations of minerals from non-validated or non-approved sites entering the ITSCI supply chain in the area have been made, but none have been confirmed with appropriate evidence. There have also been no known cases of minerals directly or indirectly supporting state or non-state armed groups, then fraudulently entering the ITSCI supply chain. The incident mentioned above was therefore closed as unresolved in December 2016.

On 30 January 2017, during a provincial stakeholder (CPF) meeting, the concession owner promised to give a favourable decision to allow formalisation of 3T mining by the end of February. However, no decisions have so far been made. There has also been a lack of engagement from provincial authorities to hold the expected regular CPF meetings or to follow up on this issue. Therefore, in order to ensure continuous follow-up on this situation and risks of minerals from non-approved sources entering the ITSCI supply chain, a new incident was open in 2017 (Incident SK 2017-0056).

ITSCI has also noted risks of minerals from non-approved sources allegedly entering the ITSCI supply chain in Walikale. Two incidents were opened for two specific sites, SK 2017-0034 regarding minerals tagged at Chambeke sites; and SK 2017-0046 regarding activities at Tchonho site, both located in Bikenge territory. Exporters were informed about these incidents and the risks present for these sites, and these exporters performed and provided risk analysis and due diligence for the minerals purchased from these sites, including with supplementary information from their own visit reports.

In neither case was there was any information to suggest, nor confirmation, that minerals were coming from mine sites controlled by non-state armed groups. Both incidents were closed as unresolved or inconclusive in May 2017.

To further mitigate such potential risks, ITSCI is also strengthening the management of tag and logbooks in South Kivu through a multi-stakeholder tag management system. In future tags will not

be allocated only to one state agency such as SAESSCAM, but jointly to the state agency and the [illegible] cooperative.

Shabunda

ITSCI has been aware of, and received, various rumours regarding minerals originating in Shabunda, apparently transported to Bukavu by air and illegally tagged there. The parties alleged to be involved were negotiants and provincial SAESSCAM and Division of Mines authorities. As a result of information shared on these rumours, a delegation from national authorities visited Bukavu in September 2016 and the provincial directors of SAESSCAM and Division of Mines were called back to Kinshasa. While they later returned to their positions there have been no other similar rumours following this action, and the incident was therefore closed as inconclusive in January 2017 for lack of evidence [Incident SK-2016-0066].

ITSCI first implemented tagging with the authorities at 5 mine sites in Shabunda territory in August 2016 and between that time and December 2016, only one security incident (involving road bandits) was recorded in the relevant implementation area. Mitigation measures were taken to reinforce security on a transport route and the incident was closed as resolved in March 2017 after the security situation had improved [Incident SK-2016-0134].

Additional validation missions have taken place in 2017, although delayed due to factors mentioned above. The validation team recommended validation of 27 mine sites, including 26 sites for 3Ts, but this has not yet been signed by the Minister.

At the end of 2016, the ITSCI whistle blowing system was also extended to Shabunda, but to date, no information has been received in relation to possible tagging of unapproved minerals/sites in Shabunda.

Note that the involvement of armed groups in Shabunda seems more related to the gold trade, as highlighted by the Global Witness report published in July 2016 "River of Gold" [Incident SK-2016-0084]. ITSCI also already noted the involvement of armed groups at the gold sites of Moba and Lukwanzwa in 2017 although this did not concern 3T's or ITSCI sites or minerals [Incident SK-2017-0017].

Request S/AC.43/2016/SE/OC.31

The OEE requested an update on the above point regarding information sharing. In my last email of 10 Feb 2017 I mentioned that we were consulting with our partners in governments on the potential MOU as any agreement would require their approval. This would be followed by a consultation with our member companies. It is unfortunate that this is a slow process however please be re-assured that we have not forgotten the proposal and still support the general concept of closer cooperation.

We have since received comment from Minister Kabwelulu, DRC who confirms that to support transparency he has no objections to sharing information between ITSCI and GOE, providing that the DRC Government is assured of receiving such information in advance. This raises some challenges for us in terms of cost and resourcing since all communications to the DRC Government must of course be in French, while the working language of ITSCI documentation for the supply chain is of course English. A significant additional translation budget would be required to put in place closer cooperation with the GOE which our members across industry may not view as a priority use of funds. It's issue is yet to be resolved.

We have also discussed the request with Minister Biruta, Rwanda. Our MOU with the Government signed in 2010 notes that "...both parties will work to agree on a general policy on what data may or may not be made available to official bodies such as the UN Group of Experts, and/or to other interested parties and/or to the general public before such information is released. We are still working on a mutually agreed framework for sharing information.

The 3T sector in Burundi has not been very active in the past 2 years so we have not discussed this request with the Government there. However, production is now re-starting and we will also communicate with them about your request at an appropriate time.

The next step, should we be able to locate funding for additional required translations, would be to move ahead with an MOU with the GOE which relates to information on companies within the DRC. We can also make further enquiries with the Government of Burundi and continue discussion with Rwanda. We would be pleased to work towards establishing a positive relationship and greater level of information exchange with the Group and hope that further discussion may ultimately lead to a successful conclusion.

Response to GOE report S/2016/1102

The last GOE report stated (para 84) that tagging was suspended at sites in Masisi after the GoE sent letters to three exporters, and as a result concluded that stakeholders cannot solely rely on validation procedures or on official norms to guarantee that the minerals are conflict-free.

We would agree with the second part of that statement, that official validation cannot be relied upon, since it represents the situation at any mi[illegible]at the time of the validation visit and does not assist in monitoring any change in that situation or what risks arise. This is the reason why ITSCI finds it essential to have a continual on the ground presence (as also recommended in the OECD DDG).

The first statement is **not correct as tagging was suspended prior to any letters** from the GOE.

We would like to make the following clarification of events and actions for correction in the next GOE publication;

20 Oct 16:	the incident was reported by our field staff who witnessed the situation together with SAESSCAM agents
22 Oct 16:	an incident report was opened
22 Oct 16:	Provincial authorities, ANR and FEC were informed during a meeting in Goma
24 Oct 16:	all tags and logbooks were withdrawn from the 3 mine sites
25-26 Oct 16:	Signal Mining and Metachem were informed by ITSCI and requested to segregate purchased minerals from this sector
11 Nov 16:	GoE sent the letter to exporters

Note that CMM was not informed about the incident in October, as they had not purchased any minerals from this sector in that month; they only had purchased minerals in August 2016, at a time where the security situation was good and when there had been no report of presence of armed group in the sector. On 17 Nov 2016 we informed CMM of the letter from the GoE and related information since the letter had been sent to an email address that was not current. We also ensured other exporters had received the GOE letter.

Note that CMM was named in para 83 of the French version of the GOE report, but not in the English version.

The UN report further says, para 82, that members of the armed group "Guides" were present at mine sites and, according to a stakeholder working in mining and a representative of the civil society, received money from miners working at mine sites in Mahanga. According to annex 28, these "Guides" were later split in several sub-groups, respectively led by "Generals" Luanda (who renamed his groups Forces de Défense du Congo, FDC), "Generals" Mbura and Budra (who refer themselves as Guides-Mouvement acquis au changement, MAC). These "Generals" are all named in our incident update reports.

Also, note that the UN report includes in its annexes (Annex 29, pp. 73-75) a copy of the answer sent by Signal Mining which mentions that they had been informed by ITSCI on 25 October prior to receipt of the GOE letter and the incident report number. Signal Mining further wrote that ITSCI informed all authorities and stakeholders during meetings on 22, 26 Oct and 12 Nov.

While the GOE remarked in para 82 that elements from the armed groups "received money from the mining actors operating at the sites in Mahanga" we do not as yet have any evidence to substantiate that point.

Note that there was also a mis-use of tags in this case, 9 mine tags were used by a SAESSCAM agent despite suspension of tagging by ITSCI and while all tags and logbooks had already been withdrawn from the site, and were located at the SAESSCAM office (Incident NK-2016-0123). All exporters were informed about the incident and expected to segregate the minerals if received at their facilities. After several months of investigation, the minerals were located at CMM in April 2017 and segregated. The delay in locating these tags was due to the fact that CMM had closed their facilities for several months and started to purchase minerals again only in April 2017.

Discussions between ITSCI, state agents (Division of Mines and SAESSCAM), cooperatives, and companies had already taken place in April to discuss the ITSCI procedures in general and also review the security situation in Nyamaboko sector. Such risks of minerals from this sector brought to other ITSCI areas for tagging were raised and discussed, but so far, although no evidence was found, exporters committed to looking at such risks closely (Incident NK-2017-0134)

Should you have specific questions relating to the operation of the ITSCI Programme, its mines or its members please do contact me again. We are keen to assist in verification of any information you have and encourage sharing and discussion before publication of comment by the GOE to avoid inaccuracies and subsequent misunderstandings or need for correction.

We would be happy to further discuss with the group any aspects of our response that may not be clear or which require further clarification, either through in-person meeting or other means.

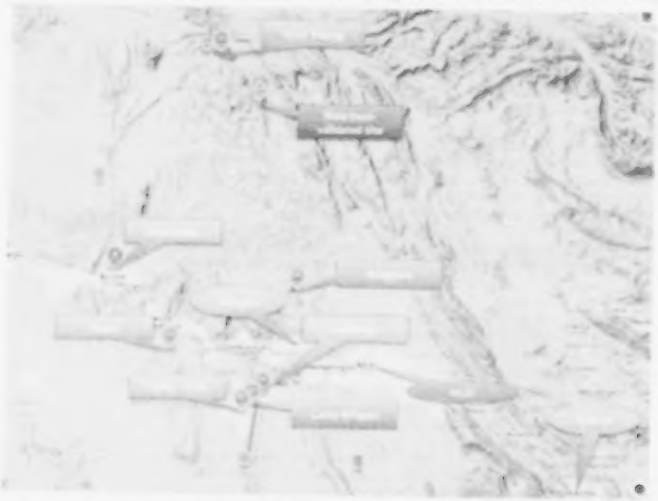
Yours sincerely,

[redacted]

Kay Nimmo,
Manager of Sustainability and Regulatory Affairs, ITRI Ltd, &
ITRI Representative to the ITSCI Governance Committee

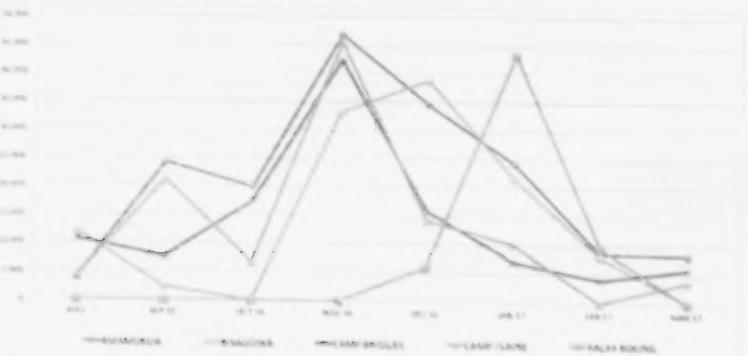
Annex 36: Tagging in Walikale Territory

a) Validated mining sites around Bisie (Ndjingala, Mubi and Walikale are trading centres)



(Map by the International Peace Information Service, edited by the Group)

b) Tagged minerals from sites around Bisie



SITE	SEP 16	OCT 16	NOV 16	DEC 16	JAN 17	FEB 17	MAR 17
AMAMBOKOA	24,120	19,926	**40,884**	34,695	24,353	8,581	8,275
ANGOLE	117,195	70,554	0	10,027	23,805	8,502	5,016
BEAGOWA	2,356	0	**33,087**	38,968	21,718	8,026	0
CAMP BIKUBE	7,556	17,425	**42,380**	15,842	7,017	4,000	5,962
CAMP PLAINE	21,148	6,706	**45,408**	14,230	10,015	0	3,713
KALAY BOEDO	0	0	0	6,013	43,506	9,513	0
UBILINDA	27,609	18,292	26,916	32,916	16,034	5,005	9,770

(Graph by the Group, based on the table compiled from iTSCi logbooks)

Annex 37: EPEM warehouse location and concession claim

a) EPEM warehouse coordinates

b) EPEM's claim to Nyakoba concession

CABINET DE L'APOTRE REPRESENTANT LEGAL

Walikale le 20 Février 2017

N° Ref 002/EPEM/CABL/IMI/2017

Transmis copie pour Information à :

- Monsieur le Chef de Secteur des Wanianga ;
- Monsieur le Chef de Bureau Isolé de Mweso de Territoire de Walikale à WALIKALE
- Monsieur le Chef de Groupement de BAFUNA à KILAMBO ;
- Monsieur le Chef de Localité BATAKIRWA à IPUBINGA/KILAMBO

Objet : Transmission Echantillons Témoins de la CMN CEWA

A Madame l'Administrateur de Territoire de Walikale à WALIKALE

Madame l'Administrateur,

J'ai l'honneur de venir auprès de votre compétence en vue de vous transmettre en annexe les échantillons témoins prélevés dans différentes rivières dans notre concession dénommée « CONCESSION MINIERE NYAKOBA CANAAN EPEM WALIKALE en sigle C.M.N.CEWA » Propriétaire de l'Eglise de la Pentecote pour l'Evangélisation du Monde.

Cette Concession est située dans la localité BATAKIRWA, Groupement BAFUNA Secteur des Wanianga, Territoire de Walikale Province du Nord Kivu.

Les échantillons prélevés servirons de Témoignage à qui de droit, il s'agit de :

1. Wolfram du ruisseau NYATURANDA et BINYONSO ;
2. Cassitérite du rivière ULIRU NSIKOBA ;
3. Titane du ruisseau NYAKOBA ;
4. Or du ruisseau NYAKOBA ;
5. Manganèse du ruisseau NYAKOBA ;
6. Quoire du ruisseau NYAKOBA
7. Zing du ruisseau NYAKOBA

Je vous en souhaite très bonne réception et vous prie d'agréer, Madame l'Administrateur d'expression de mes sentiments patriotiques pour la réussite de ce projet.

Pour l'EPEM / CMNCEWA

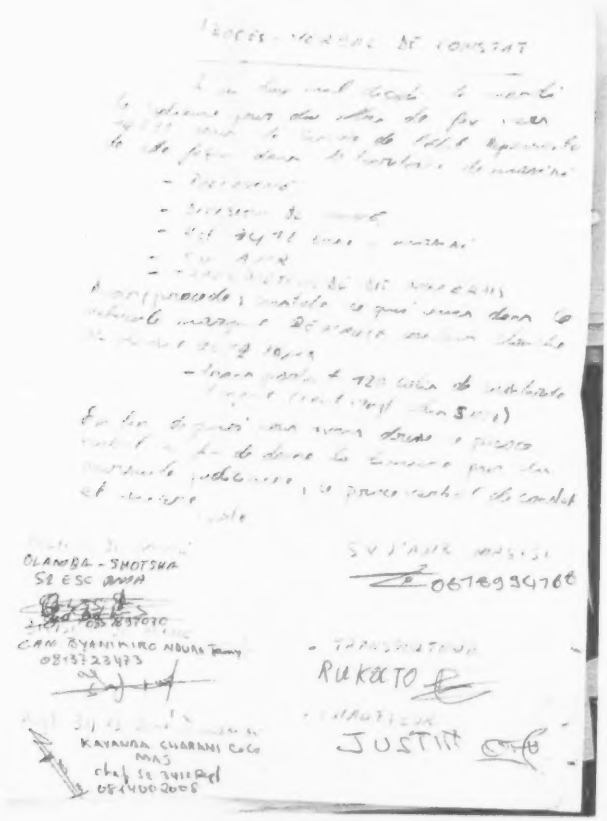
(Document recovered by the Group)

Annex 38: Transport fraud detected at Kashebere control point

On 23 March 2017, Théophile Kambale, a driver of the humanitarian non-governmental organisation "ALDI", was stopped at Kashebere checkpoint and found in possession of one ton of cassiterite hidden in its TATA vehicle (plate number 3303 AB / 19). The minerals were seized "as a temporary measure" by the mining authorities of the DRC.

On 7 February 2017, a négociant from Mubi, Morefu Karati, was arrested by authorities for transporting six tons of tagged cassiterite from Bisie while declaring only five tons on the transport manifest compiled by SAESSCAM in Mubi. The fraud was discovered by manually counting the bags, the vehicle seized and sent to Goma (see statement below).

On the same day, a Toyota Hilux pickup was also caught transporting two tons of cassiterite from Bisie instead of the 750kg declared in the accompanying SAESSCAM documentation.



(Document recovered by the Group)

Annex 39: Handover of tags from SAESSCAM to ITRI Ltd staff

REPUBLIQUE DEMOCRATIQUE DU CONGO
MINISTERE · DES MINES
SAESSCAM NORD-KIVU
BUREAU DE MASISI

Lubaya, le 03/11/2016

N · 03/11/2016

Transmis copie pour information à :
- Monsieur le Chargé de l'Administration et Finance au du SAESSCAM MASISI à Lubaya

Concerne : Transmission
Décharge de la remise et reprise de matériels de traçabilité des sites d'exploitation Ngungu, Kibabi, Karuba et Nyabiondo.

A Madame le Chef de Bureau au du SAESSCAM /N/K, Bureau de Masisi à Lubaya,

Madame le Chef de Bureau,

Nous avons l'honneur de vous transmettre en annexe de la présente ce dont l'objet est repris en marge.

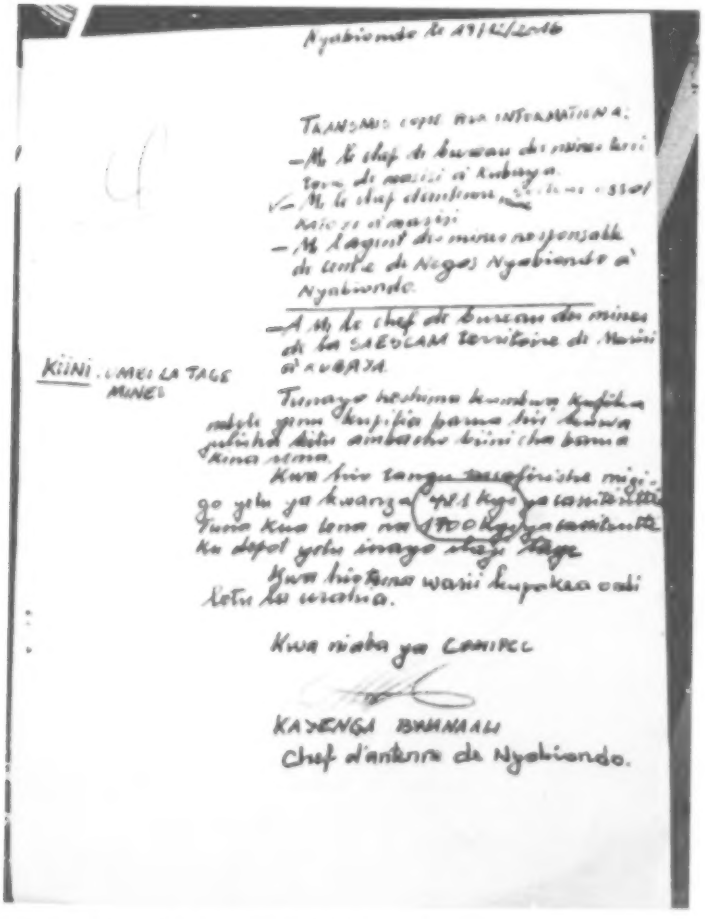
Veuillez agréer, Madame le Chef de Bureau, l'expression de nos sentiments de franche collaboration.

Pour le SAESSCAM /N/K, Bureau de MASISI
MUNYOLERE LUHEMBA Junior
Chargé de Techniques et Opérations

(Document recovered by the Group)

Annex 40: Letter from COMIPCC to the Chef d'antenne minière in Nyabiondo

On 19 December 2016, the director of the mining cooperative COMIPCC wrote to the Chef d'antenne minière (the local representative of the Ministry of mines) in Nyabiondo to pledge for the release and tagging of 1,700kg of cassiterite from the suspended sites in Mahanga they have in their warehouse in Nyabiondo. The letter refers to the 421kg of cassiterite from the same sites tagged by SAESSCAM on 30 October 2016.



Nyabiondo le 19/12/2016

TRANSMIS COPIE POUR INFORMATION A:
- M. le chef de bureau des mines basé à Kabunga.
- M. le chef d'antenne [illegible] Kalonge et environs
- M. l'agent des mines responsable du comptoir de Negoce Nyabiondo à Nyabiondo.
- A M. le chef de bureau des mines de la SAESSCAM territoire de Walikale à KUBAYA

KIINI : UMELIPA TAGE MINES

Turazo heshima kwamba kupitia mkopo gani kupitia pamoja hii kwa sababu hatuna aimbacho kiini cha kama kina nina.

Kwa hiyo tunaomba ruhusa ya kuuza gramu yetu ya kwanza (421 kgs za cassiterite) Tuna kwa sasa na (1700 kgs za cassiterite) ka depot yetu inayo stage Mahanga

Kwa hiyo tuna wasii kupokea ombi letu la uruhusa.

Kwa niaba ya COMIPCC

KAJENGA BWANALI
Chef d'antenne de Nyabiondo.

(Document recovered by the Group, highlights by the Group)

Annex 41: Ugandan measures to stop the sale of smuggled gold

5 **Measures to stop illegal importation of Gold**

Uganda is a signatory to the ICGLR Pact on Security, Stability and Development which contains a Protocol Against the illegal Exploitation of Natural resources and it has ratified both the Pact and the Protocol. The Protocol's central tool is the establishment of a Regional Certification Mechanism

Cabinet approved a bill for the domestication of the provisions of the Protocol on the Fight against the Illegal Exploitation of Natural Resources. The bill was recently presented to the Sectoral Committees of Foreign Affairs and Defense. The bill awaits tabling before Parliament.

The domestication of the ICGLR protocol is in the final stages of completion and once complete a more comprehensive due diligence mechanism such as the Regional Certification Mechanism will be implemented in a bid to curb illegal exploitation of natural resources.

Other related actions being undertaken include measures to ensure that before an import permit is issued for a consignment to be imported into Uganda, the entity intending to import is required to present an export permit and Certificate of Origin from the originating country of the consignment. This is a measure to make sure that consignments that officially enter Uganda are recognized by the originating country.

Uganda has also encouraged and attracted private sector investment in the gold sector in a bid to formalize it, enhance traceability and responsible sourcing of gold. The establishment of the refinery by African Gold Refinery (AGR) in Uganda is testimony to the response to attract investments to formalize the sector.

(Extract of a letter dated 19 June 2017 from the Government of Uganda addressed to the Group)

Annex 42: Non-declaration of 150 kilograms of gold

(Document provided to the Group by the Government of the UAE, highlights by the Group)

Annex 43: Travel records of Ms. Elysée Chibalonza from 2016 to 2017

Subject: UN Group of Experts on DRC request for travel information of Ms. Elysee Kanini Chibalonza

Reference is made to letter dated 28 March 2016 with ref. no. SAC.43/20.16/OUT/OC.19 by Security Council committee established pursuant to resolution 1533(2004) concerning DRC requesting travel information about Ms. Kanini.

Upon receipt of the letter, we have checked all documents and travel history of the individual. Based on our investigation of the matter, we would like to summarize our findings and kindly request your good office to communicate the information to the coordinator of the group of experts accordingly.

1. The start date and place of Ms. Kanini travel on ET 412 flight are 13/09/2013 and Lubumbashi respectively.
2. Regarding all of all trips Ms. Kanini made on Ethiopian Airlines since January 2013, the individual has made a total of 17 trips from January 2013 to March 2016 and the point of departure on all the trips is Lubumbashi and the final destination is Dubai. The dates of travel are 1/1/2013, 24/02/2013, 20/3/2013, 13/05/2013, 27/6/2013, 24/8/2013, 24/9/2013, 14/10/2013, 28/11/2013, 23/12/2013, 24/12/2013, 04/1/2014, 08/2/2014, 27/2/2014, 19/1/2014, 5/3/2014 and 6/3/2014.

3

Kindly, Ethiopian Airlines would like to assure that Economic and the Embargoed on Panel of Experts that Ethiopian Airlines has always been transparent and serious in carrying out its legal compliance and social responsibilities and as a good corporate citizen confirm that as always it will continue complying with the relevant and applicable UN Security Council Resolutions.

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

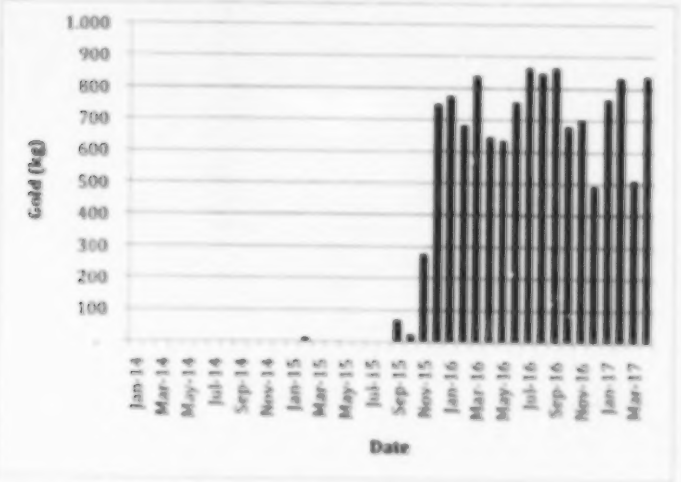
Annex 44: Missing ICGLR certificates

In June 2016, the Government of Belgium refused to clear an export of gold accompanied by the ICGLR certificate number CD 00007976. In February 2017, exporters in Lubumbashi used the ICGLR certificate number CD 00001892 to export 99.5 kilograms of gold to Dubai.

Numbers of disappeared certificated	Number of certificates in the series
CD 00001892 – CD 00001893	2
CD 00001911	1
CD 00007631	1
CD 00007937 – CD 00007958	22
CD 00007976 – CD 00007999	24
Total certificates missing	**50**

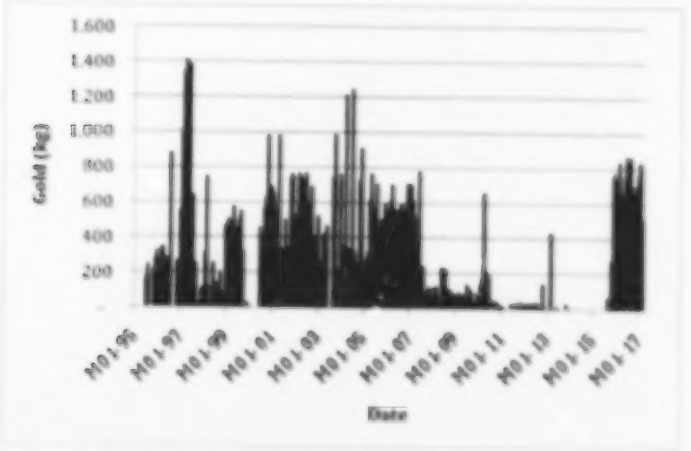
Annex 45: Official gold exports from Uganda

a) Official monthly gold exports from January 2014 to March 2017



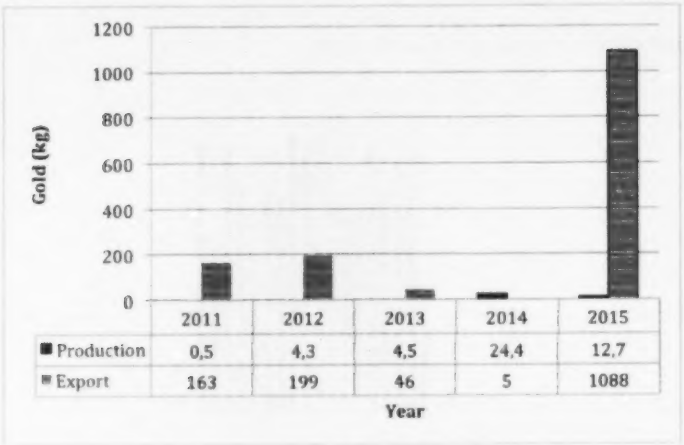
(Source: Bank of Uganda Statistics, 2017)

b) Official monthly gold exports from January 1995 to April 2017



(Source: Bank of Uganda Statistics, 2017)

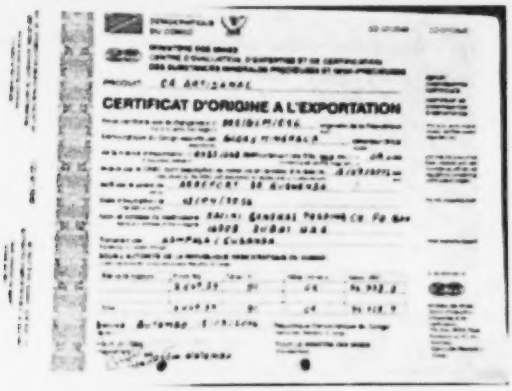
c) Official gold exports and production from 2011-2015



(Source: Uganda Bureau of Statistics, 2016)

Annex 46: Rafiki General Trading

a) Example of an ICGLR certificate used by Glorym to export gold to Rafiki General Trading



CERTIFICAT D'ORIGINE A L'EXPORTATION

b) Statement of activities by Rafiki General Trading

RGT رفيقي للتجارة العامة م م ح
Rafiki General Trading FZE

Dubai 23rd August 2016

To:
The Ministry of Foreign Affairs
Dubai
United Arab Emirates

SUBJECT: RAFIKI GENERAL TRADING FEE - COMPANY ACTIVITIES

Dear Sir / Madam,

I am writing this letter to elaborate further about the activities of RAFIKI GENERAL TRADING FEE. It was founded in 2013 Hilwa Al Khamsah, United Arab Emirates, which is owned and managed by Vilash Subhash Lodha.

The scope of the business activities mainly covers imports and exports which can be described as follows:

- From Democratic Republic of Congo, we are exporting pharmaceutical raw materials to India.
- From India we are exporting garments and fabric to Democratic Republic of Congo.
- Serve as mediator or agent between Suppliers and Buyers for sourcing high quality pharmaceutical raw materials. However, there are certain transactions in which buyers are directly sending their payments to the suppliers and they are just providing me the agreed commission amount in cheque or cash forms.

Enclosed with this letters, are some proofs of my business deals to support the aforesaid information, such as Invoice, Bill of Lading & Company Bank Statement.

Should you have further clarification please feel free to contact me.

Remain at your entire disposal.

Sincerely Yours,

Vilash Subhash Lodha

P.O Box 19800, Hilwa Al Khamsah - U.A.E., Tel: +9711 2679940, Fax: +9711 2679941, E-mail: rafiki@rafiki.ae

(Documents obtained by the Group)

Annex 47: Response of the Government of the UAE to the Group

Ref: 2017/71

5 February, 2017

Mr. Sharp

I am writing in reference to letter No. SIAC.43/2017/GE/DC.5 dated 2 February 2017, regarding the information requested by the Group of Experts on the actions taken by the United Arab Emirates to implement the recommendations contained in the final report of the Group (S/2016/466), and the gold import figures of the United Arab Emirates from Burundi, the Democratic Republic of the Congo, Tanzania and Uganda starting from January 2016 to this date.

In this regard, I would like to inform you that we have requested the Federal Customs Authority in the United Arab Emirates to provide us with the gold import figures.

With regard to the actions taken to implement the recommendations contained in the final report of the Group of Experts, I am pleased to inform you that the National Committee on Anti-Money Laundering and Combating Terrorist Financing is committed to implement the measures contained in the report, and has developed corrective plans to regulate the process of importing gold and complete measures to stop illicit financial flows. Measures taken in this regard include the following:

- The concerned authorities in the United Arab Emirates implement measures which require the individuals carrying gold to declare, upon their arrival to the United Arab Emirates, the identity of gold exporters (full name and address).

Mr. Michael Sharp
Coordinator
Group of Experts on the Democratic
Republic of the Congo
Security Council Resolution 2293 (2016)

PERMANENT MISSION OF THE
UNITED ARAB EMIRATES
TO THE UNITED NATIONS
NEW YORK

- The local customs authorities request individuals who transport gold to provide information that include copies of their passports or identification documents, the address of residence, and the destination to which the funds will be transferred, in conformity with the financial regulatory measures of the Financial Action Task Force (FATF), which require verification of sources of funds, currencies, gold and silver, and in accordance with the established procedures of the Organization for Economic Cooperation and Development (OECD) pertaining to gold.

- The United Arab Emirates implements a declaration system for cash amounts above AED 100,000.00 or its equivalent in foreign currencies. According to that system, individuals entering the United Arab Emirates must declare the amount of cash in their possession by filling the relevant form available at all points of entry, which is later carefully examined for authenticity of documents by the local customs authorities. Additionally, the local customs authorities request traders in the United Arab Emirates to register their names and addresses as a pre-condition for releasing the gold.

- The United Arab Emirates analyses the financial flow patterns in order to identify risks in accordance with the established standards implemented by the concerned authorities.

- The concerned customs authority imposes trafficking fines on individuals in the case of non-declaration, and follow-up on the reasons of not doing so.

Finally, the UAE Federal Customs Authority, in agreement with the National Committee on Anti-Money Laundering and Combating Terrorist Financing, continue to coordinate with security entities, Departments of Economic Development, the UAE Ministry of Economy and the other concerned authorities on measures to curtail the illicit trade in gold, jewelry and precious stones from conflict areas.

PERMANENT MISSION OF THE
UNITED ARAB EMIRATES
TO THE UNITED NATIONS
NEW YORK

Please accept the assurances of my highest consideration.

Jamal Jama Al Musharakh
Deputy Permanent Representative
Chargé d'Affaires, a.i.

Annex 48: Charcoal

a) Map of charcoal producing areas

b) Production in areas under FDLR control

	PRODUCTION					
	Population			FDLR		
SITE	Producers	Kiln/week	Bags/week	Producers	Kiln/week	Bags/week
Songo	100	100	800–1000	13	4	32–40
Gitsimba	400	400	3200–4000	13	4	32–40
Karuli	500	500	4000–5000	13	4	32–40
Total camps	**1000**	**1000**	**8000–10000**			**96–120**
Bishusha/Bwiza	500	500	5000–6000	0	0	800–1000

c) Illegal taxation by FDLR and FARDC on the production and sale in FC

	ILLEGAL TAXES FDLR		ILLEGAL TAXES FARDC/BAG		Selling price/bag
SITE	kiln	bag	Kitchanga	Kabalekasha	
Songo	6,500	1,000	1,000	1,000	3,000
Gitsimba	6,500	1,000	1,700	1,000	3,000
Karuli	6,500	1,000	1,700	1,000	3,000
Bishusha/Bwiza	4,000	0	1,700	1,000	5,000

d) Estimated revenues for FDLR from the illegal taxation of production and sales in FC

SITE	FDLR tax/kiln	FDLR tax/bag	FDLR sales own bags	TOTAL REVENUES
Songo	650,000	0.8–1 million	96,000–120,000	1,546,000–1,770,000
Gitsimba	2,600,000	3.2–4 million	96,000–120,000	5,896,000–6,720,000
Karuli	3,250,000	4–5 million	96,000–120,000	7,346,000–8,370,000
Total camps	**6,500,000**	**8–10 million**	**288,000–360,000**	**14,788,000–16,860,000**
Bishusha/Bwiza	2,000,000	0	4,000,000–5,000,000	6,000,000–7,000,000

e) Estimated revenues for FARDC from illegal taxation of sales

SITE	FARDC Kitchanga	FARDC Kabalekasha	TOTAL REVENUES
Songo	1,360,000–1,700,000	0.8–1 million	2,160,000–2,700,000
Gitsimba	5,440,000–6,800,000	3.2–4 million	8,640,000–10,800,000
Karuli	6,800,000–8,500,000	4–5 million	10,800,000–13,500,000
Total camps	**13,600,000–17,000,000**	**8–10 million**	21,600,000–27,000,000
Bishusha/Bwiza	5,000,000–6,000,000	5–6 million	10,000,000–12,000,000

f) Registry of taxes collected from FDLR in VNP camps

BIZI 200FC IYAMUREMYE 200FC
NSHIZIRUNGU 200FC NTWIZERE 200FC
RWESINKIMBI 200FC SHABANI 200FC
KOFI 200FC JUSTIN 200FC
OGI 200FC MAPENZI 200FC
MUKUSU 200FC KADIO 200FC
MUSAFIRI 200FC NZAYISENGA 200FC
NDIKUMANA 200FC RUGIRA 200FC
BIZUMUREMYI 200FC MATOTO 200FC
BIZI 200FC DUDU 200FC
GAFISHI 200FC JUDITH 200FC
GAFARANGA 200FC MUJA 200FC
NSABIMANA 200FC CHRISTOPHE 200FC
SIFA 200FC NDEKYEZI 200FC
MUNGUIKO 200FC NDAYISABA 200FC
VALANTIN 200FC YVE 200FC
VANISA 200FC TUYISHIME 200FC
MAHORO 200FC ALOIS 200FC
N.MINANI 200FC HITIMANA 200FC
OSCARI 200FC ALOISI 200FC
OLIVA 200FC THEOGENE 200FC
BUNANE 200FC MUNANA 200FC
SHUKURU 200FC GAFUPI. 200FC
SINAYOBYE 200FC YONIBA. 200FC
TUYISHIME 200FC JACQUES 200FC

Annex 49: MANPADS recovered from the FDLR

a) Full MANPADS as recovered

b) Markings on the launching tube

90n22-1-01 / 04-87 / 04860

9M313-1 / 04-87 / 04860 / C / LOD COMP Reference numbers for quality control 709 / 527

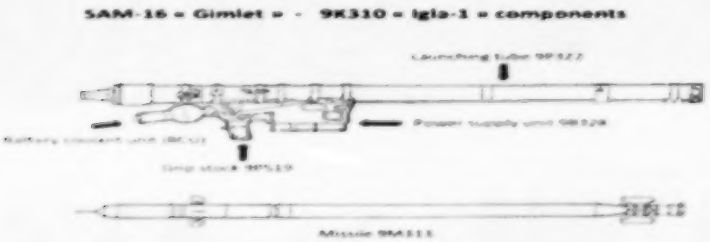
(Pictures by the Group)

c) Table of markings of the recovered MANPADS

90n22-1-01	"P", translated from Cyrilic alphabet
04-87	Year of production
04860	Serial number on the launching tube
9M313-1	Type of Missile-Variant 1
C. LOD.COMP.	Indication that materiel was exported to an Anglophone country
709 1141, 709 15381, 709 616	The marking "709" indicates the sequence of quality control

(Compiled by the Group)

d) Characteristics of a SAM-16 MANPADS



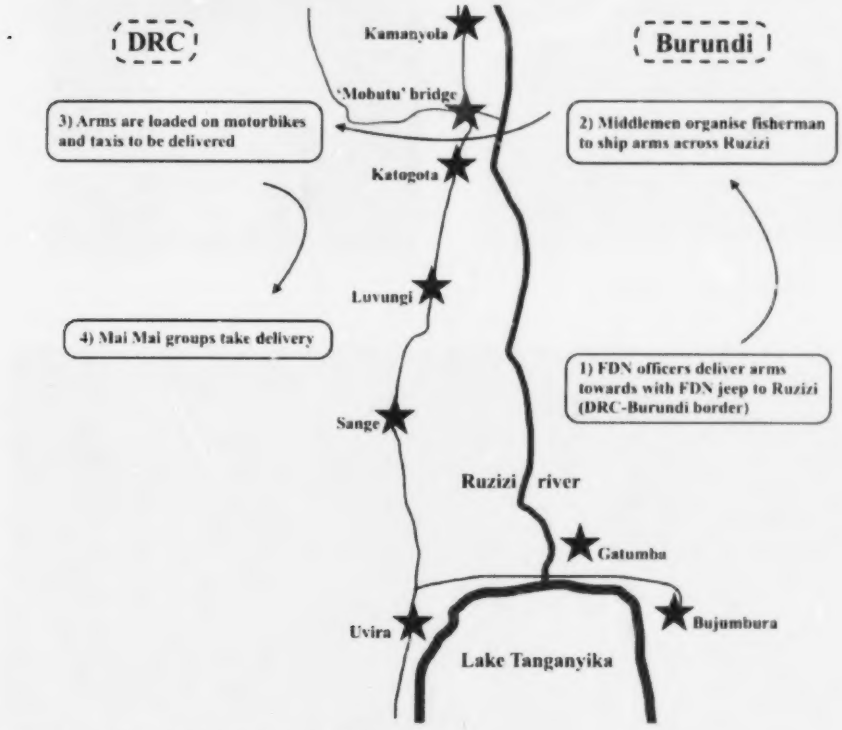
(See www.armyrecognition.com, last accessed on 15 June 2017)

Annex 50: Pictures and map of the Kiliba incursion by FDN

(Pictures recovered by the Group)

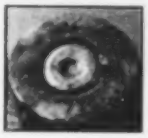
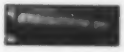
(Map by Google Inc., edited by the Group)

Annex 51: Route of arms traffic across Ruzizi river in early 2017



(Graph based on interviews conducted by the Group)

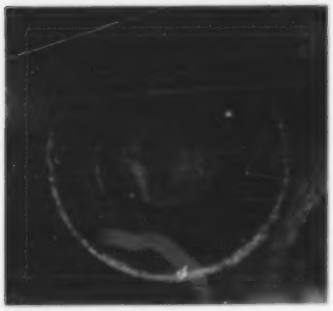
Annex 52: Ammunitions used in the attack against MONUSCO in Butembo

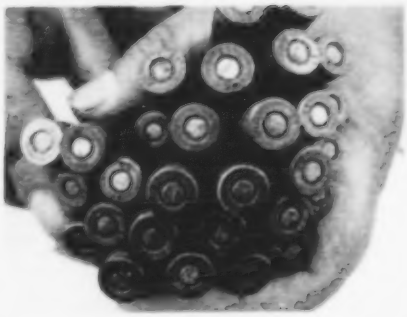
Photo No.: 01 Head stamp: 04_73 	Photo No.: 02 Head stamp: 61_10 	Photo No.: 03 Head stamp: 81_76
Photo No.: 01 bis Head stamp: 04_73 	Photo No.: 02 Bis Head stamp: 61_10 	Photo No.: 03 bis Head stamp: 81_76
Photo No.: 04 Head stamp: 821_07 	Photo No.: 05 Head stamp:911_77 	Photo No.: 06 Headstamp 911_78
Photo No.: 04 bis Head stamp: 821_07 	Photo No.: 05 bis Head stamp:911_77 	Photo No.: 6 bis Head stamp: 911_78

(Map compiled from pictures taken by the Group)

Annex 53: Ammunitions recovered from the FRPI

a) Head stamps of FRPI ammunition





(Pictures by the Group)

b) Screenshots of Luwero Industries Ltd's website

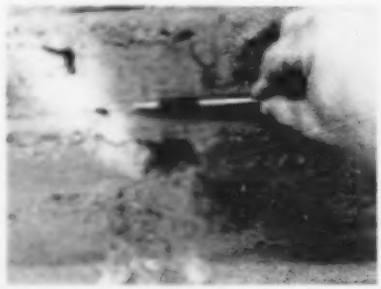
(See www.luweroindustries.com, last accessed on 15 June 2017)

Annex 54: Timeline and traces of the attack on MONUSCO in Butembo

a) Timeline based on MONUSCO testimony

Time	Events
0610	Gunshots from northeast and west begin against MONUSCO and PNC. Mai Mai use cover of PNC office to shoot at MONUSCO. Attack also focuses on prison and the mayor's office.
0645	PNC run towards MONUSCO to hide. One peacekeeper gets shot into neck, survives wounded, prompting South African peacekeepers to repulse, they shoot four Mai Mai combatants. Peacekeepers see AK47, light machine guns and RPGs on the assailant side. Suspected aim of assailants seems to recover weapons.
0705	MONUSCO decides to chase assailants with four APCs, two westwards and two northwards. PNC recuperates three AK47 and light machine gun from fleeing Mai Mai.
0710	Next MONUSCO, one Mai Mai hides in a trench, shoots and kills one peacekeeper. Other Mai Mai fire a grenade against an APC and shoot another peacekeeper who survives.
0930	Attack ends, MONUSCO captures further Mai Mai. On MONUSCO side, one killed and two wounded are brought tom Goma.
1300	MONUSCO patrol discovers a killed FARDC soldier while clashes with retreating Mai Mai continue.

b) Pictures of the damages at Butembo MONUSCO base



(Pictures by the Group)